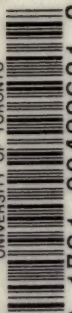


UNIVERSITY OF TORONTO



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The Records of the City of Norwich.

Vol. 1.

No. 216.

The Records

OF THE

City of Norwich.

COMPILED AND EDITED

BY THE

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PUBLISHED IN TWO VOLUMES

BY AUTHORITY OF THE

CORPORATION OF THE CITY OF NORWICH.

Norwich: JARROLD & SONS, LTD., LONDON & EXCHANGE STREETS.
London: JARROLD & SONS, 10 & 11, WARWICK LANE, E.C.

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THE RECORDS
OF THE
CITY OF NORWICH.

VOLUME I.

*CONTAINING DOCUMENTS RELATING TO THE GOVERNMENT
AND ADMINISTRATION OF THE CITY, WITH
AN INTRODUCTORY SKETCH OF ITS
MUNICIPAL DEVELOPMENT.*

COMPILED AND EDITED

BY THE

REV. WILLIAM HUDSON, M.A., F.S.A.

MAP OF NORWICH

from a work entitled "Civitates Orbis Terrarum," by George Braun and Francis Hogenberg, published at Cologne about 1577. (From a copy in the possession of the Norwich Corporation.) The erroneous spelling in the Reference Table is explained by its being the work of a foreign printer, probably in Cologne.

CVM,
IVITAS





Preface.

IN 1894, the Corporation of Norwich, having acquired the old Castle with its annexed buildings for the purpose of forming a Museum, took the opportunity of providing at the same time excellently arranged accommodation for the valuable collection of Muniments hitherto kept in the Guildhall. In this new Muniment Room the documents were rearranged in classified order by the compilers of this present publication. They afterwards made a Revised Catalogue, corresponding with this arrangement, which was published by the Corporation in 1898.

In 1901, the Town Council passed a resolution authorising the publication of selected documents, Mr. Hudson and Mr. Tingey having undertaken to carry out the work.

The Compilers, taking into consideration the systematic arrangement and cataloguing of the Records, suggested that a similarly classified (rather than a purely chronological) presentment of them should be adopted. They advised that this might be sufficiently done in two Volumes, one dealing with the Municipal, the other with the Economic, History of the City.

This proposal being accepted, the Compilers agreed between themselves that, while in general working together, they would so far divide the responsibility as that Mr. Hudson should undertake the compilation of the First Volume and Mr. Tingey that of the Second Volume. The present Volume, therefore, relates to Municipal History only.

One marked characteristic of the Municipal History of the City of Norwich is the natural and normal progress of its

Preface.

development. Nothing is done by fits and starts. Every successive change admits of easy explanation as arising out of natural conditions not only of the local community but of the contemporary national tendencies. No doubt this is true of many other cities and towns, but in Norwich more than in most others the orderly course of development went on undisturbed by external interference. It is a case of a community which practically from first to last was left to work out its development in its own way.

For this reason, and because on the whole the existing evidences seem sufficient to tell their own story, very little reference is made in this Volume to parallel or variant conditions known to have existed in other towns. The chief exception is London. That the men of Norwich were from the first well acquainted with all that went on in London may be taken for granted and, in 1194, they had specific authority given them to enjoy the same liberties and privileges as the citizens of London. But it would seem that this was rather a confirmation of customs which they and other boroughs had previously enjoyed in common than a grant of altogether new privileges. It was not till the change from a Communal to a Magisterial form of government in 1404 that we find them really adopting London methods and London names. Even then they imitated in their own way, as (for example) is witnessed by the history of the Norwich Aldermen. They were never, as in London, separate Ward Officers, although a party in the city at one time desired this arrangement. For a time they were no more than Twenty-Four Assessors of the Mayor as their predecessors had been to the Bailiffs. Then they absorbed the functions of the old Ward Constables and finally as a body exercised in their Court a good deal of magisterial and even judicial authority which rightly belonged to only some of their number as Justices of the Peace.

From this point of view one of the most remarkable documents in this collection is the long and elaborate "Composition" drawn up by the citizens themselves in 1415, which formed a permanent basis of administration for some 400 years of municipal life.

The documents given in this Volume are arranged in a few main groups; the Charters; the Custumal; the Jurisdiction of the City Courts, civil and criminal; the earlier Police or Leet Jurisdiction; the Militia and Muster system. Corresponding with this arrangement there are given, at the close of the general Introductory Sketch, five prefatory notices of the Charters, the Custumal, the

Preface.

City Courts, the Leet Jurisdiction and the Militia system. These groups of documents with numerous others from various sources will, it is hoped, be found to cover all departments of City Government and Administration except one, the office and duties of the City Chamberlain. The office itself was so entirely dissociated from any controverted questions of municipal principle and the duties were so completely concerned with the economic conditions of the city that this department of municipal administration is reserved for the second Volume.

Besides the constant and invaluable co-operation of his colleague, Mr. Tingey, the Compiler of this First Volume has to acknowledge his obligation to Professor Maitland, of Cambridge, and, more recently, to Miss Bateson, Fellow of Newnham College, Cambridge, for generous assistance towards deciding the text and interpretation of the Customal; to Mr. G. G. Coulton, of Eastbourne, for similar help in the Anglo-French documents; to the Council of the Selden Society for allowing the re-publishing of the translations of the Leet Extracts in the 5th Volume of the Society's Publications; to Mr. W. N. Lawson, of Eastbourne, Recorder of Richmond, formerly of the Equity Bar, for most useful help in the compilation of the Subject-Index, and to others who have willingly assisted him in various ways during many years' study of these municipal documents.

Corrigenda.

- Page lxiii., line 7 from foot, delete "as" at end of line.
,, lxxxiii., line 28, for factions, read factious.
,, c., line 19, for Aldermen, read Alderman.
,, cxii., note 1, for 6 July, read 2 July.
,, 4, line 2, for "Abbas," read Abba.
,, 7, line 7, for Vise, read Viso.
,, 29, line 1, for sine, read siue.
,, 45, line 9, for 2 July, read 1 April.
,, 47 (at end of Charter) for 2nd year, read 2nd and 3rd year.
,, 59, line 6, for County read Country.
,, 80, note 1, for CLXXXIV., read CLXXXV.
,, 132, note 1, for X. 2, read X. 4.
,, 134, line 19, for Divisee, read Devisee.
,, 214, note 3, for Hampshire, read Huntingdonshire.
,, 243, lines 14 and 33, for William, read Walter.
,, ,, note 2, for CCII., read CLII.
,, 253, line 10 from foot, for Dileburgh, read Dikleburgh.
,, 260-1, (date of No. CLIII.), for 1295, read 1285.
,, 261, line 4, for Beston, read Boston.
,, 267, note 5, for CCLXXXIII., read CCLXXXV.
,, 288, line 20, for Domincia, read Dominica.
,, 333, note 3, for maglré, read malgré.
,, 359, line 13 from foot, for Banburgh, read Bauburgh.
,, ,, line 10 from foot, for Antyngbam read Antyngham.
,, 387, note 1, for XII., p. 5, read XII. 5.
,, 400, note 1, for Vinetenar, read Vintenar.

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INTRODUCTION.

A SURVEY OF THE MUNICIPAL HISTORY OF THE CITY OF NORWICH: ITS GOVERNMENT AND ADMINISTRATION.

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[Throughout the Volume all dates referring to days between January 1st and March 24th are given according to New Style.]

I.—A Burgh under Seignorial Government, c. 925—1194.

1. *Probable Origin.*

The earliest actual mention of Norwich occurs on coins minted there in the reign of King Æthelstan [A.D. 925—941].¹ A little later in the reigns of Æthelred II. [978—1016], of Cnut [1016—1035], and of Edward the Confessor [1042—1066], the Norwich mint issued a great variety of coins containing the names

¹ Henfrey, ancient coins of Norwich, *Journal of the Archaeological Association*, vol. 36, p. 291. Andrews, *Numismatic Chronicle*, 4th Series I. Round, *English Hist. Rev. Ap.*, 1903, p. 305.

ii. *Selected Records of the City of Norwich.*

of numerous moneyers. The existence of this busy mint, even though it may have been first established under Æthelstan, indicates that so far back as that date Norwich had already become an important burgh. Under the laws of that King every burgh was to have a moneyer. We may therefore clearly trace back the municipal history of Norwich to a period immediately succeeding, if not contemporaneous with, its occupation by the Danes, at the close of the 9th century. The probable origin and growth of the burgh in still earlier times, as well as the topographical and other conditions which may have governed its development, will be more fitly dealt with in the account of its Social and Commercial Progress. It is necessary, however, to allude briefly to a recently propounded theory which, if substantiated, reverses all previous conclusions on this subject.

It has hitherto been held that the primary nucleus of the future burgh was the Castle. Setting aside the wild theories of earlier writers it has been held that the great mound on which the Castle stands (now proved to be entirely artificial)¹ was thrown up by some Angle chieftain. Uffa, King of the East Angles, c. 580, was the traditional performer of the work, though this date is earlier than the period mostly assigned to such fortifications by Clark² and those who have followed him. Under the protection, as was supposed, of this stronghold there arose on the riverside meadows three distinct settlements, Conesford (Cyningesford) on the east and south-east; Coselanye on the north-west and north, and Westwyk on the west and north-west. The existence of these three early settlements is evidenced by local names of streets and dedications of churches, and the names of the first two indicate a pre-Danish origin. This theory fitted in well with ascertained facts of a later time and with the description of the burgh in *Domesday Book*. Recently, however, grave doubts have been expressed in regard to the origin of these artificial fortified mounds which abound throughout the country. It is now asserted³ on strong grounds that they were the work neither of Angles or Danes, but of Normans, at the time of, or after, the Conquest. If this later theory be correct then whatever means of defence may have existed in Norwich in the

¹ By excavations purposely made when the keep was converted into a museum in 1888. See a letter by Mr. F. W. Harmer, F.G.S., in *Norf. Arch.*, xiv. 151.

² *Mediæval Military Architecture*.

³ Round, *Archæologia*, vol. 58, p. 313. Armitage, *Proc. Scottish Soc. Antiq.* xxxiv. 260. *Eng. Hist. Rev.* xix., p. 209.

reign of Edward the Confessor, there was no great mound surmounted by even a stockaded fort. This, as it will be seen, must materially affect our view of what the Normans found and what they did.

The first mention of Norwich in any record is the notice in the *Saxon Chronicle* that in 1002 "Swegen came with his fleet to Northwic and wasted and burned the burh." The damage done was not difficult to repair and when we come to the days of Edward the Confessor [c. 1060] the burgh, as described in *Domesday Book*, had become one of the very largest in the whole kingdom.

2. *Description of Norwich in Domesday Book (T.R.E.).*¹

(a) Norwich was part of the "Terra Regis"; it was reckoned as a Hundred and it contained in all 1320 burgesses.

(b) These 1320 burgesses were divided into three lordships under slightly different conditions; (1) the king and the earl had soc, sac and custom over 1238; (2) Stigand had soc, sac and commendation over 50; (3) Herold had similar jurisdiction over 32.

(c) As regards certain dues payable to the King and the earl the three lordships acted with some amount of unity. The whole town (*tota hec villa*) was charged with the payment of £20 to the king and £10 to the earl besides some other payments in money and kind to the king.

(d) We may gather further that these three lordships were territorial, for the holdings of Stigand and Herold, in a later part of the document, are described as "that *land* which Stigand held in the time of King Edward," and "that *land* of which Herold had the soc."

3. We may first deal with the two smaller jurisdictions. Stigand had previously held the East Anglian See of Elmham, but was now Archbishop of Canterbury. Although, however, he had ceased to be connected with Norwich as its Bishop he was still personally connected with it as possessing the important manor of Thorpe which lay towards the east and north-east across the river Wensum and also comprised a considerable amount of land on the near side of the river, which was afterwards within the city boundaries. The whole site of the future Cathedral with its precinct, as well as the site of the Great Hospital and its meadows belonged to this manor and the Hundred of Blofield.² It was,

¹ No. I.

² So it was asserted by the monks. See p. 57.

iv. *Selected Records of the City of Norwich.*

doubtless, as lord of the manor of Thorpe that Stigand held his 50 burgesses in Norwich. And as he is stated to have held the two churches¹ of St. Martin and St. Michael, his burgesses most likely occupied the district at the north end of Tombland and the adjoining part of the parish of St. Martin-at-Palace. This district was soon afterwards much altered by the enclosure of the Cathedral precinct.

Herold must be the same as King Harold. He had been Earl of East Anglia and though he was not Earl at the time of Edward's death,² he seems by this notice to have retained a (perhaps private) estate in Norwich. If, as hitherto thought, the Castle was there, it would be reasonable to suppose that Harold held it and that his burgesses were settled in its neighbourhood. But if there was not even a Castle Mound, it is impossible to locate them with any degree of certainty. The site of the Castle would be part of the slope of the hill from the Berstrete ridge to Tombland and we cannot conjecture how any of it may have been occupied.

A far greater interest attaches to the 1238 burgesses who were under the immediate jurisdiction of the King and the Earl. It is with them that the municipal history of the city begins, and although our document gives us little clue to their status and privileges certain known facts, or legitimate deductions from later known facts, may help us to some extent to supplement its information. It has been noted that there is evidence that they were divided into three locally distinct settlements. For municipal purposes these three settlements must already for several generations have coalesced into one burgh. Yet they remained three separate units in the permanent organisation of later times.

4. Besides being called a "burh" as in the *Saxon Chronicle* in 1002, Norwich would rightly have been called a "port," a word which is understood to mean a recognised market town. Perhaps this meaning may be detected in the termination of its name, "wic," explained in a contemporary vocabulary³ to mean a "castle or little port." This interpretation raises a considerable difficulty which will meet us again. Norwich was not a walled town, nor

¹ The church of St. Martin-at-Palace and the then existing church of St. Michael-on-Tombland.

² Freeman (*Hist. Norm. Cong.*, ii. 568, iv. 67), says that Gyrth, Harold's brother, was Earl at the death of Edward.

³ Wright-Wülcher *Vocab. of Archbishop Alfric* (10th century) "wic—castellum vel lytelport."

perhaps was it even defended by a bank and ditch till the middle of the 13th century. So long as a castle was believed to exist there in Angle and Danish times the difficulty was less, for the Castle enclosure would be a place of refuge for the townspeople in case of need. We may also suppose that the large population of *Domesday Book* was the growth of the 11th rather than the 10th century, and that the town was really only a "little port" when the name "Norwic" first occurs, a name which had perhaps been newly brought into use in the time of Æthelstan. Still a population of 1320 burgesses in 1060 must have taken several generations to grow and the common market must have been extensive and important long before that date. The word "port" is never used of Norwich, nor were its burgesses called "portmen" or its assembly a "portmanmote." But when the Normans established a new burgh of their own the native English called the district "Newport."

A name also survived till later times, which indicates where the common "Moot" of the burgesses was held. It was on the plain or open space afterwards known as "Tomland."¹ A church in that neighbourhood was still called in medieval records "St. Michael de Motstowe."² That this spot was the centre of pre-Norman Norwich is evident from its being the converging-place of all the main streets of the pre-Norman districts. Besides being the "motstowe" or place of meeting, it must also have been the place of the market. The Church of St. Michael, which then stood there, was very richly endowed, and without much doubt the principal church in the burgh. If there was then an Earl's Palace, it also stood there, but it cannot be proved that the building so called was then existing. These matters must be left for future discussion.

What is certain is that the Norman Conquerors found in the burgh of Norwich an organised community of 1238 burgesses (besides others who were not burgesses) united under the joint jurisdiction of the King and the Earl of East Anglia. That for practical working out of such matters as watch and ward, collection of dues or other necessary details of the administration of a free burgh, they were grouped in three sub-divisions seems also certain for topographical reasons. That, besides commerce and trade, they

¹ Danish for vacant land.

² Now St. Michael-at-Plea, not St. Michael-on-Tombland, removed by Bishop Herbert. Possibly the former may have been built on the removal of the latter. See *Streets and Lanes of Norwich*, p. 105

were also occupied in agriculture is most probable. But, so far as municipal organisation is concerned, we have scarcely any evidence to guide us.

5. *The Norman Conquest.*

Within a year of the Conquest we have mention of Norwich in a passage of the Chronicle of William of Poitiers,¹ the Conqueror's chaplain, repeated almost verbally by Ordericus Vitalis.² When King William left the country to go to Normandy in 1067 he committed the charge of England to two of his leading officers. To his brother Odo he entrusted "Dover Castle, with the adjacent southern shore called Kent, which faces Gaul." In a place called by the Chronicler "Guenta," which, he says, can easily receive the Danes, for it is only fourteen miles from the sea which separates the English from the Danes, he "constructed a fort (munitio) within the walls (moenia)." Here he placed "William Fitz Osbern, a chief captain in his army, that in his stead he might meanwhile rule over the whole kingdom towards the north." The "Guenta" of this description cannot be anything but Norwich,³ which William of Poitiers identified with the Roman "Venta Icenorum."

Hitherto it has been taken for granted that what the King did was to replace the existing timber fort on the mound with a more defensible stone fortification, not, indeed, the present Keep, but something which preceded it. If, however, the new theory of the Norman origin of the mound is to be accepted, what he did was to throw up the mound itself, a gigantic work to be hurriedly done, but one for which sufficient labour existed on the spot if he

¹ Guenta urbs est nobilis atque valens. Cives ac finitimos habet divites, infidos, et audaces. Danos in auxilium citius recipere potest. A mari quod Anglos a Danis separat, millia passuum quatuordecim distat. Hujus quoque urbis intra moenia munitionem construxit. Ibidem Willelmum reliquit Osberni filium, preecipuum in exercitu suo, ut in vice sua interim toti regno Aquilonem versus præesset. Hunc ex omnibus Normannis paterno more sibi fidissimum domi bellicque perspexerat simul fortitudine egregium et consilio sive rei domesticæ sive militaris; necnon domino celesti multo affectu devotum. Hunc Normannis charissimum Anglis maximo terrori esse sciebat. Hunc pre ceteris familiaribus a pueritia utriusque dilexerat et exultaverat in Normannia.

Castrum vero Doveram Odoni fratri suo commisit cum adjacente ora australi quæ, nomine vetusto Cantium dicta, Galliam propius spectat, unde et a minus feris hominibus incolitur. Consueverant enim merces cum Belgis mutare."—William of Poitiers 148 (Duchesne *Hist. Northmann. Script.*, p. 208).

² *Ibid.* p. 506.

³ So Freeman understands it. (*Norm. Cong. IV.*, 68).

had the power to enforce it. This new theory, of course, supposes that only timber castles could at first be built on the hastily erected mounds, the stone keeps, as now existing, not replacing them for a generation or two later.¹ This mound and fort would be the "munitio" of the Chronicler. What he meant by his "mœnia" is not plain. It is probable that, not being acquainted with the locality, he imagined that a place so important as Norwich was an old walled town.

6. *The New, or French, Burgh.*

The fortress, from which William Fitz Osbern was thus set to overawe the people towards the north,² soon became not only a military menace to the old burgesses, but the nucleus of a rival municipal organisation. About five years after the Conquest, Ralph de Guader, the son of an English father and a Breton mother, who, having a grievance against Harold, had joined the Norman army, was rewarded with the Earldom of East Anglia, and with it the custody of the castle and burgh of Norwich. Probably also he may have thus come into the lordship of the burgesses who had been Harold's. He proceeded to do what other Norman nobles were also doing, namely, to establish a French burgh, which might attract his countrymen to share its privileges and become a sort of outer garrison to the castle. In the language of *Domesday Book*, he took the land which he held in demesne as Earl, and granted it to the King, as the record puts it, "in commune" to make a burgh between himself and the King. This was manifestly more than a new settlement added to the population. It was the deliberate establishment of a new organisation. It began on a small scale. Most writers, following Blomefield, have understood *Domesday Book* as stating that there were in the New Burgh 36 French and 6 English burgesses in *the time of King Edward*. It more probably means that they were there when the New Burgh was formed, and this may explain the words "in commune" of the record. Till then the holders of this land were simply individual members of the old burgh, or, perhaps, with more likelihood,

¹ This is in accordance with the acknowledged date of similarly situated keeps, which are not earlier than the reign of Stephen.

² The "north" must be taken to mean the northern coast. The main object was to watch the Danes.

burgesses of the Earl. Now they were constituted into a "commune," a united whole, forming a separate unit,¹ and that not simply as Conesford, Westwyk and Coselanye, may have been in some sense separate units for convenience of administration. Those three together had formed but one "burgh," presumably under one burghreeve or portreeve and enjoying in common their own old English or Danish customs. This new organisation was to be a separate "burgh," whose burgesses, speaking another language and brought up under other customs, would have their own reeve. The mention of an annual rent of 1 penny which all alike paid, as well as "forfeits," suggests that they, like the burgesses in many other "French" burghs, were under the Laws of Breteuil,² brought over by the Norman chiefs, especially William Fitz Osbern, who was most likely the first founder of the Norman castle. He may have originated the scheme of a new Burgh. Ralph, the Earl, was himself half a Breton, and the castle was garrisoned by Breton soldiers,³ when it was defended by Ralph's wife Emma, who was William Fitz Osbern's daughter and sister to Roger de Breteuil, Earl of Hereford, William's son. By 1086, when *Domesday Book* was compiled, there were 41 French burgesses in the New Burgh in the demesne of the King and the Earl, besides 83 others, knights and burgesses, all liable to the same custom as the original French burgesses.

7. This increase in some ten years is the more noticeable in the face of the misfortunes which had fallen on the town in the interval. The ill-fated rebellion, which was inaugurated at the bride-ale,⁴ when Earl Ralph married Earl Roger's sister, Emma Fitz Osbern, brought untold mischief on the innocent burgesses. The town, being undefended, suffered great damage during the siege of the castle, as we learn from *Domesday Book*. Large numbers of the burgesses, either as actual or suspected adherents of Earl Ralph, were compelled to flee, and their possessions were

¹ See note on "Commune" at the end of this sub-section, p. x.

² On these Laws and their extensive use in English burghs, see Miss Bateson's articles in *English Historical Review*, 1900 and 1901. A main characteristic of these Laws was an equal rent and a maximum forfeit beyond which the lord might not go.

³ Lanfranc writes to the Conqueror:—"Your Castle of Norwich is delivered 'a spurcitia Britonum.'"—*Epistles of Lanfranc*, 38.

⁴ The marriage did not take place at Norwich, but at Exning, in Suffolk. Afterwards, says the *A. S. Chron.*, "he took his wife to Norwich."

seized. This occurred in 1075. When the Survey was made in 1086, little recovery can have taken place. Of the King's 1,238 burgesses only 665 were found, of Stigand's 50 only 39, and of Harold's 32 only 15. In addition to suffering damage by fire during the siege, and by the "invasions" of a certain Waleran, these 719 remaining old burgesses would have to pay the forfeits on Earl Ralph's rebellion, and to meet the requirements of the King's geld to the full extent of the former 1320. Moreover, their annual render to the King and others was raised from £31 to more than £95, a ruinous increase, even though the French burgesses took their share. Under these circumstances the old burgesses who remained are described as "*omnino vastati*." They were quite impoverished and unable to appeal to any protector against the successful rivalry of the burgesses in the New Burgh.¹ This rivalry resulted (in course of time) in the permanent transfer of the centre of burghal life from the old burgh to the new. Hitherto it had been on Tombland. Before the time of our earliest records in the thirteenth century, it was fully established in Mancroft, on the west side of the castle, by which name the "New-port" or New Burgh was finally called. It is impossible to say by what steps this development took place. It must have commenced when the new burgh was first established. For a few generations, perhaps, an English Burghmote may have continued to be held on Tombland and a French in Mancroft. So also may an English and a French market. But one thing we may safely assume. The King's Toll-house would certainly be set in the new burgh, and the old burgesses would have to resort to it to satisfy all the demands of the King or his officials.

After this time we hear no more of any burgesses corresponding to those held by the Earl. They are, if their burgage rent was still accounted for, included in the burgesses of the new burgh. The 17 void "*mansure*" of that lordship at the time of Domesday Survey are said to be "in the occupation of the castle." So also are 81 in the burgh, that is, of the King's burgesses. Possibly some of these latter may have belonged to the "castle bailey" which was outside the earthworks on the

¹ If the 36 French burgesses of the original New Burgh were Bretons, they must have been replaced by others included in the 41 of the time of *D. B.* Roger Bigot, the new Constable of the Castle, introduced 50 more of his own, and others were added about the same time.

x. *Selected Records of the City of Norwich.*

south-east. Its inhabitants, though in early times closely connected with the castle, yet shared in the privileges and burdens of the other burgesses of the old burgh, whereas the inhabitants of the castle and the lands enclosed within the castle earthworks formed an exempt jurisdiction till 1345.

[Note on "in commune" in *Domesday Book*, ante p. viii.]

This expression occurs also in the *Domesday* description of Colchester, and is one of acknowledged difficulty. The Colchester passage is "In commune burgensium iiii^{xx} acre terre et circa murum viii. perce, de quo toto per annum habent burgensés lx. sol. ad servicium regis si opus fuerit, sin autem in commune dividunt." This has been commented upon by Mr. Round¹ and by Professor Maitland.² The latter understands that the community of burgesses held the land and received rents from the tenants, the total sum of which went to the King if necessary, if not, was "divisible among the burgesses." Mr. Round (*Vic. Hist.*, p. 577) translates the first "in commune" as "In the burgesses common are 80 acres," etc.; and the second as "they divide it in common." In a note he says "the phrase probably refers to common of pasture." In referring (p. 423) to the Norwich entry he writes "in commune" and "inter se et regem" in italics, so that he would probably translate it, as Blomefield does, "to make a burgh in common between himself and the King."

The difficulty of the expression in Colchester lies not only in the exceptional use of the word so early in the sense of the later "communitas," but in the fact that its first use seems to imply the unity of a body, while the second appears to describe dividing a thing into individual shares. In the latter sense the Norwich entry would imply no more than that the burghage rents of the tenants of the land should be divided between the King and the Earl. But the plain meaning is that the Earl took his own individual burgesses on his demesne, and gave them to the King to form a municipal organisation, standing by itself and bearing a relation to the King as national and to himself as local lord, corresponding to that of the burgesses of the existing English burgh. It is not necessary to press the phrase into too definite a meaning. The word "commune" (a Latin adjectival neuter) is itself vague. It is here referred to land with reference to the tenants settled on it. It contained so many separate burghage holdings under Earl Ralph. Henceforth it was for a certain purpose to be reckoned as one unit, the new French burgh. The same vague use of

¹ *Antiquary VI.*, 97, and *Victoria County Hist. of Essex I.*, 423 and 577.

² *Domesday Book and Beyond*, p. 201.

the term occurs frequently in the Pipe Roll of 14 H. II. where the "commune ville" pays a lump sum to the Aid for marrying the King's daughter, while special individuals in the same vill pay specified sums.]

8. *Foundation of the Cathedral and Monastery.*

Before this time Stigand's 50 burgesses disappear as a separate body. In 1070 he was deprived of his Archbishopric and his manor of Thorpe fell into the hands of the king. His Norwich burgesses would thus fall into line with those of the king, unless they were transferred to a new lord in connection with another change which soon after this time exercised a permanent and, on the whole, unfavourable influence on the municipal development of the burgh.

This was the removal of the Episcopal See of East Anglia from Thetford to Norwich in 1094. It is stated in *Domesday Book* that there were in the burgh of Norwich (T.R.W.) "50 houses from which the king has not his custom." Of these the "men of the bishop" held 10 and "in the bishop's own court" were 14 "mansure" which William the King gave to Herfast "for the principal seat of the bishoprick." Herfast became bishop of Elmham in 1070, and is generally supposed to have removed the See from Elmham to Thetford in obedience to the order of the Council of London in 1075,¹ that bishops should remove their Sees from villages to the principal places in their diocese. If that were so we might conclude that he did not then remove it to Norwich because of the disturbance caused by Earl Ralph's rebellion. William's policy in urging this step was to bring the civil and ecclesiastical officers (both generally Normans) in the closest touch with each other. It may be that for a time Thetford was the seat of the civil governour and that the See was removed there for that reason. The king's grant of lands and houses in Norwich for the purpose may have been to assist the bishop in carrying out the order of the Council of London before the disturbances at Norwich caused Thetford to be preferred. Whatever may be the true cause of Thetford being chosen at that time, a further removal to Norwich was decided upon in 1094. Herbert de Losinga, then Bishop, purchased of the King, William Rufus, an extensive meadow east of Tombland called the Cowholm in the manor of Thorpe and the hundred of Blofield. Here he founded

¹ Mason, *Hist. of Norf.*, i. 176, states that he had seen a deed signed by Herfast as Bishop of Thetford in 1071, in possession of the D. and C. of Canterbury.

a monastery and built a Cathedral. Next being desirous of improving the access to the town on the west of his site, he effected an exchange with Roger Bigot then Constable of Norwich Castle. He gave Roger some ancestral lands in Suffolk and obtained from him the church and land of St. Michael, comprising part of Tombland and the land on which stood a building called the Earl's Palace. He removed both the church of St. Michael and the Earl's Palace. Afterwards he obtained from Henry I. a grant of some land further to the north which the King describes as given "de burgo meo"¹ and which may have been the locality where Stigand's forfeited burgage tenements had stood. The greater part of all this land he enclosed in a stone wall.

The immediate effect of these undertakings was to accentuate the derogation of the old burgh to the benefit of the new. It was a blow struck at their centre, removing not only many houses, but also their principal church and their lord's dwelling. The monastic enclosed precinct and the castle enclosure almost touched each other, so that Conesford, hitherto the most favourably situated of the three units of the old burgh was severed from the other two by an enclosed community of alien knights and another of alien monks. The further and more serious result was to introduce into their midst an exempt and specially privileged ecclesiastical body between whose rights and their own endless feuds sprang up to the great detriment of both, which were not quieted for 430 years.

9. *The Twelfth Century.*

The municipal progress of Norwich in the early part of this century is very obscure, illuminated only by a few isolated statements. We may presume that the unifying influence exercised by King Henry I., the "Lion of Justice," throughout the kingdom was felt in Norwich, and that the close of his reign left the town in a far more prosperous condition than it was in at the beginning. The King visited Norwich at the Christmas of 1122, and according to Blomefield marked his visit by a grant of great importance, giving

¹ In Charter of Henry I. to the Prior [*Dugdale Monast.*, iv. 17] it is stated: Henricus etc. Sciatis me dedisse Deo et ecclesie de Norwyke et Herberto Episcopo et monachis eiusdem ecclesie Preter hoc dedi eis de burgo meo de Norwico partem a terra episcopi usque ad terram sancti Michaelis &c. This grant may have included the land forfeited by Stigand. An Inspecimus of this Charter is enrolled in Patent Roll 2 Richard II. part 1, m. 7, which is about the date of the document *De Fundacione Ecclesie*, etc., given in this volume, No. XXXIII.

the burgesses the same franchises as the city of London then had.¹ From this time, he says, they were governed by a Portreeve who collected the King's duties and governed the city. Hitherto the government had been in the hands of the Constable of the castle who answered to the King for two thirds of the profits and kept one third himself. Henceforth the third part remained to the castle as a royal liberty governed by the sheriff under the constable; the two thirds passed into the hands of the citizens who exercised the King's jurisdictions and "returned their fee-farm or annual profits by the hands of their Provost who accounted for them to the King." Whether the King named the Provost he cannot decide, nor had he seen a copy of such a charter, but that it was true he thinks to be proved by the "charter of Henry II. which mentions it."

This statement appears to be no more than the writer's opinion of the probable course of events. Most of it is very uncertain and some of it certainly incorrect. There is no evidence of any charter having been granted to the borough by Henry I. No reference to such a charter is ever made, the liberties of the borough being ascribed either to the charter of Henry II. or (most frequently) to that of Richard I. In a list of the city muniments in 1290,² it does not occur, whereas the others are specified. The charter of Henry II. only confirms in general terms such liberties as may have been enjoyed in the time of his grandfather and makes no mention of the city of London. Again, it is incorrect to say that as yet the provost could deal directly with the king as we shall see presently from the early Pipe rolls. It is also more than doubtful whether any part of the royal jurisdiction (whether regal or seignorial) was yet committed to the burgesses so as to be in any sense under their own control either in the election of a president of their court or the assessing of the amercements. It is impossible to suppose that in so short a time the customs of the French and English burghs had been so far amalgamated as to allow of any joint action in the matter of jurisdiction. It is far more probable that the contention of the monks at a later date was correct, and that at this time, and for at least a generation later, the borough court was presided over by a sergeant or bailiff of the King who judged the burgesses of each burgh according to their own customs.

¹ Dugdale *Monast.*, iv. 70, (quoting from an old MS. in possession of J. Whiting, 1650), "Henricus rex filius Willelmi Conquestoris dedit civibus Norwici eandam franchisesiam et libertates sicut civitas Londonie habuit. ² *Rot. Cart.* 18 E.I., No. CXVIII.

It may, however, be true that at this time the burgesses obtained the privilege of the "firma burgi." We may consider this matter when we come to the language of the early Pipe rolls of 30 years later. If the change took place at this time it would hardly be quite as Blomefield puts it, transferring one third of the profits to the castle and two thirds to the citizens. The various sums mentioned in *Domesday Book* were apparently commuted at once for the payment, as afterwards permanently settled, of £108.

Under date of 1138 and 1139, Blomefield¹ speaks of a payment by the burgesses of £25 for "pardon" which he assumes to be connected with a re-grant of forfeited liberties. But in regard to the date of this payment which is entered in the earliest existing Pipe Roll he was led astray by the opinion held in his day that the roll belonged to 5 Stephen instead of 31 H. I. And he has misinterpreted the entry. It is that² "the Sheriff renders account of the aid of Norwich. In the treasury £25. And in Pardon by Writ of the King to the Burgesses of Norwich 100s." The payment to be accounted for was, it seems, £30. Of this sum £25 had been duly paid, and the burgesses produced a royal writ excusing them (for some reason) from the payment of the remaining £5. Nothing is said about forfeiture or re-grant of liberties.

10. *Norwich and King Stephen.*

The reign of King Stephen is of some interest in the municipal history of the city. Baker in his *Chronicle*³ states that "In 1140 the King gave licence to the city of Norwich to have coroners and bailiffs before which time they had only a sergeant for the King to keep courts." This looks like an incorrect reference to the tradition just referred to as recorded by the monks of the Cathedral Monastery towards the close of the fourteenth century.⁴ In stating their case against the citizens they say: "Afterwards, in the seventeenth year of the reign of Stephen, which was the year 1152, the community of the town of Norwich made a fine and agreed, as it says, with the aforesaid King Stephen for having coroners and bailiffs of themselves, but of this they have no charter, nor in time of need did they produce one, because never before the conquest or after for 100 years and more did they have coroners and bailiffs of themselves, but only one bailiff who in the King's name held courts and collected

¹ *Hist. Norf.* iii. 25.

² No. II. 1.

³ Edn. 1653, fol. 72.

⁴ No. XXXIII.

amercements, as was the case in Beccles or in Bungay or in other towns where merchandise is sold." They go on to say that in the fifth year of Richard I. (1194) the citizens first received their city to farm. The last part of the contention of the monks perhaps requires some modification, but the former part probably expresses the truth.

During a portion of the reign of Stephen the Castle and town of Norwich were in the hands of Stephen's son, William of Blois.¹ The grant was made to William as Earl of Warenne, a title which he only obtained on his marriage with Isabel, heiress of the third Earl of Warenne, who died in 1148. It therefore must be subsequent to that date. William de Blois was in possession of the Borough before 1153, for it was then confirmed to him in the Agreement between Stephen and Henry Fitz Empress.² It is possible that the tradition about the Coroners and Bailiffs in 1152 had a foundation of truth in an endeavour to induce King Stephen, through his son William, to grant to the burgesses similar liberties to those already granted to the City of London.

II. *The First Charter.*

With the reign of Henry II. we enter upon the period of our first Charter. It is not dated, and it is of considerable importance to establish its date as nearly as possible. Blomefield sets it down to 1182, but in this he is clearly altogether wrong, for of the attesting witnesses William, the King's brother, died in 1164; Henry de Essex, Constable, was deposed from his office in 1163; and Warin Fitz-Gerold, Chamberlain, seems to have held that office from 1154 to 1158.³ It must, therefore, be in 1158 or earlier. All the witnesses either were, or might well have been, present at Westminster in December, 1154, or March, 1155.⁴ But the Charter is not likely to have been granted

¹ Rymer *Fœdera* I., 18; Coke *4th Inst.* 258.

² The grant includes "the Castle of Norwich, with 700 librates of land, so that the renders (redditus) of Norwich be reckoned within those 700 librates." Gurdon, *Essay on the Antiquity of Norwich Castle*, p. 28, followed by Blomefield III., 25, says, "The Rents of the City of Norwich were then valued at £700 per annum." But it is only stated that the renders of Norwich, probably those for which the farm of £108 was given in 3 H. II., were to be included in the £700. The question belongs rather to the economic history of the city.

³ Eyton *Itinerary of Henry II.*, Index under these names.

⁴ Eyton 2, 6-9.

by the King until he had resumed possession of the borough and castle from William Fitz Stephen at Whitsuntide, 1157.¹ Henry remained in England from that time till August, 1158. As the names of all the five witnesses occur in attendance on the King during the period from April to August, 1158,² we shall probably be correct in assigning that period as the date of the Charter. In the Pipe Roll for that year the Sheriff accounts for a payment of 300 marks "from the Burgesses of Norwich," possibly in return for the Charter.

The Charter³ contains no specific grant of any new franchise but only a general confirmation to the burgesses of their "customs, liberties and quittances" as they had enjoyed them in the time of the King's grandfather, Henry I. It enjoins that the burgesses should fully hold these liberties, as well customs as "responsa." And if any one in the time of King Stephen had withdrawn himself from their "customs" and "scots" he is ordered to return to their "society and custom" and follow their "scot," none being excepted.

These terms are plainly too vague to be made the foundation of any definite theory of the municipal condition of Norwich in the time of Henry I. They refer to the two sides of municipal liberty, the enjoyment of their local "customs" and the right to satisfy the King in such method as had heretofore been allowed to them. In regard to the latter point the question arises, Had they yet obtained the right to compound for at least some of their obligations by a "firma" or fixed sum? We have seen that in 31 Henry I. they had to account to the King for £30. But this was for an aid (auxilium) an occasional demand, not a "firma" or regular payment. The next surviving Pipe Roll, for 2 H. II., mentions a sum of 50 marks (£33 6s. 8d.) paid through the King to William Comin and John the Marshall, again for an "aid." In the following year, however, 3 H. II. we find this entry;⁴ "The said Sheriff renders account of £54 for the farm of half a year from Norwich." In the *Red Book of the Exchequer*⁵ the same entry is given for the same year, and also in another place⁶ in this form, "Et in Norwico per se⁷ cvij li." Now this is the exact amount of the annual farm as specified in the Charter of 5 Richard I., and it would therefore seem that a commutation of the Domesday renders at that amount had already been arrived at, although

¹ Norgate, *England Under the Angevin Kings I.*, 430. Eyton *Itin.*, 25, thinks about Easter. ² Eyton 38. ³ No. III. ⁴ No. II. 2. ⁵ p. 682.

⁶ p. 787.

⁷ Perhaps as not included in the farm of the County.

probably it was not yet a permanent settlement, for no other reference to a farm is made till the date of Richard's Charter. This perhaps gave ground for the contention made by the citizens of Norwich in their plea against Yarmouth in 1331.¹ Norwich, they pleaded, had been an ancient port of the Kings of England before Yarmouth existed and there tolls and customs for sea-borne goods were paid, "all which were due to the Kings of England in right of that their city and port till King Henry Fitz Empress granted the city and all the tolls, rights and customs belonging to it to the citizens and their heirs for ever paying to the Exchequer a fee farm rent of £108 a year &c."

The existing Charter of Henry II. does not, however, warrant this assertion. On the other hand the 15th century lawyers in Norwich always founded the claim to self government on the Charter of Richard I., not on that of Henry II., stating, for instance, in 1443² that by Richard's Charter the citizens became possessed of their franchises and the King of his fee farm rent "then first and not before."

It would seem, too, that if we are right as to the date of the Charter the payment of £54 was anterior to the Charter. We may, perhaps, suppose that in 1331 there existed among the Norwich archives some record of the payment of this farm at this early date and that it was explained by the assumption made in the plea. But if indeed this early farm implied the possession by the then burgesses of their tolls and port dues, municipal self-government must have proceeded further than Richard's subsequent Charter would lead us to expect.

It will be observed that the farm (whatever it represented) was not paid direct to the King but through the Sheriff of the County.

Another observation may be made. The language of the Charter seems inconsistent with the existence of two rival "burghs" with distinct customs. It is true that there are indications that even later than this there may still have been two Reeves.³ But the order

¹ *Book of Pleas*, fol. xxi., No. XXXVII.

² No. CCC.

³ There may have been two Reeves annually chosen till the substitution of Bailiffs. The "Old Roll of Officials" preserved in the Guildhall (though neither early or reliable yet copying some previous tradition) gives from 1154 to 1222 "2 Prepositi." The Close Roll of 7 John (1205) orders the Sheriff to arrest "Prepositos Norwici." The list in the *Old Free Book* of early officials named in deeds of uncertain years gives four "Prepositos Norwici" and couples them in two pairs. If it were so the practice may have been a reminiscence of the two burghs without necessarily implying two divergent sets of customs any more than in the case of Ipswich which had two Reeves.

that all persons should join their "societas et consuetudo" must mean that there was but one municipal organisation and one set of customs. The Norman¹ and English burghs had already amalgamated so far as to act together as one "societas" with one "consuetudo."

II. Communal Self-Government under a Reeve, 1194—1223.

I. *Charter of Richard I.*

Whatever may have been the privileges enjoyed by the burgesses of Norwich before the Charter of King Richard I., there can be no doubt that to it they owed their first grant of municipal independence. For a century and a half they had formed one of the largest and most prosperous communities in the kingdom; for nearly a century their town had been the established seat of the bishop of one of its most extensive dioceses, yet hitherto it had passed as an ordinary "burgus." Henceforth the men of Norwich are styled "cives" and their town a "civitas." That this change in official language was to be attributed to the effect of King Richard's charter was the decided opinion of the 15th century lawyers. In an indictment of the citizens for encroachments on the King's geldable at an Inquest held at Cringleford in October, 1417, the advocate for the Crown thus pleads,² "The lord Henry late King of England first after the Conquest [granted certain privileges to the Prior] long before the time of the reign of the aforesaid late King Richard when that which is now called the City of Norwich was and in record was called the Burgh of Norwich and was entirely in the hands³ and possession of the said late King, &c."

In one respect this statement is not strictly accurate. Though "burgenses" is used in the Charter of H. II. and in the Pipe Rolls throughout the greater part of his reign, the word "cives" is used in the Pipe Rolls on several occasions previous to this Charter.⁴ Possibly the legislation of Henry's reign in the development of

¹ The purely Norman element seems to have died out early in Norwich. A French lad coming from Paris to England rather later than this date is told: "In Durham, Norwich and Lincoln you will hear scarcely any speaking Romance (Romane loquentem)" Richard of Devizes (*Hist. Soc.*, p. 62). ² No. CCLXXXVI., Indictment 7.

³ This cannot refer to a mere temporary forfeiture.

⁴ 29 H. II., 31 H. II., 2 R. I. (No. II., 9, 10).

local administration coupled with the large amount of the contributions received from Norwich had emphasized its importance in the view of the King's officials and led to its being honoured with the higher title of "civitas" which was now adopted and sanctioned by its use in a royal charter. Thus in the Pipe Roll of 5 H. II. the Sheriff accounts for £414 13s. 4d. "de dono Civitatis," though the word "burgenses" continues to be used in later years. Whether, however, the later lawyers were correct or not in connecting the change of title with an increase of privilege, it is certain that, with scarcely an exception, the citizens of Norwich as well as their adversaries referred the origin of their liberties as sanctioned by royal authority to the charter of Richard I.

The Charter¹ was granted on 5 May in Richard's fifth year (1194). Its specific terms, as relating to quittance from penalties, exemption from tolls, rights of pleading and of tenure of property, are almost exactly similar to several granted by Richard to other cities. One of them had been granted to London only 12 days before, 23 April, 1194. It is observable that the original charter from which the similar clauses of all these charters were taken was one granted to London by King Henry I.,² and repeated by King Henry II. in the early years of his reign. As it is well understood that the specification of a particular liberty granted in a charter does not preclude the possibility of its having been enjoyed by custom long before, it is likely enough that many of the privileges enjoyed by London in the time of Henry I. and re-granted by Henry II. and Richard may have been equally enjoyed during that period as a matter of custom by Norwich, Lincoln, Winchester and other towns in the case of which they are first specified in the charters of Richard. The terms of the charter of Henry II. already referred to seem to imply something of the kind as true of Norwich.

2. *Grant of the City to the Citizens.*

The real value of the charter to the citizens must be sought in its concluding clauses. After the specified articles of the grant a further general grant is made including all the "liberties and free customs" formerly or at the time held by the citizens of London. Then the charter thus concludes, "Wherefore we will and firmly enjoin that the said citizens and their heirs have and hold

¹ No. IV.

² Assigned by some to 1101, but Round *Geoffrey de Mandeville*, p. 364, dates it between 1130 and 1135.

hereditarily of us and our heirs all these [grants] aforesaid with the city and its appurtenances, rendering yearly £108 sterling by tale from the city of Norwich by the hands of the Reeve of Norwich at our Exchequer at the term of St. Michael, and the citizens of Norwich may make Reeves of themselves yearly who may be agreeable to us and them." That this was the important point of the charter and that the other liberties specified were not new is confirmed by an entry in the Pipe Roll of 6 Richard I. [Michaelmas, 1194], "The citizens of Norwich render account of 200 marks for having confirmation of the liberties of their city by charter of the lord King Richard and for having the city in their hand, so that they answer for the due farm at the Exchequer."¹

What, then, are we to understand by their "having the city in their hands"? It must be held first of all to imply the taking for themselves the burgage rents, tolls and profits of the borough court. The only difficulty is that we have seen that so far back as 3 Hen. II. the burgesses have been allowed to farm something at this very sum of £108. We can hardly suppose that, if anything fresh (say, profits of court) was now first added, the amount of the farm would not have been increased. It would seem, therefore, that the change introduced by the charter was the substitution of a permanent for an occasional farm. For the future they held the city at a fee-farm (or perpetual rent) the due payment of which was the condition of their tenure.

A further gain was that they might answer directly at the Exchequer for their obligation instead of through the Sheriff of the County.

3. *Right to elect their own Reeve.*

Perhaps, however, the most important article of the Charter was that which allowed them to elect their own Reeve annually subject only to the King's approval. By this grant the president of their borough-court and of their municipal assemblies would be no longer the nominee of the King or of some intermediate official, but one of their own choosing, responsible to themselves—a great step in self-government. For while the responsibility of such an official to the King would compel him to avoid infringing the King's rights, he would also be bound on oath to safeguard the chartered liberties of the citizens and administer justice according to their customs.

¹ No. II. 13.

Moreover, the right of electing their own chief ruler would doubtless carry with it the right of electing the subordinate officers of administration in the various departments of city business, or, in other words, of organising or at least taking under their own control the internal administration of the city. Although no contemporary evidence is forthcoming, it would be unreasonable not to anticipate at this point some of our later evidence in order to ascertain, so far as possible, what the municipal organisation of the city may have been when the citizens first took the management of it into their own hands. Their obligations were twofold: (i.) towards the King in both his seignorial and regal capacities; (ii.) towards themselves chiefly in the administration of justice between man and man. It was their external relation to the King which would be the governing influence in the early organisation of municipal communities. The citizens of Norwich found themselves bound to collect the various items of the fee-farm rent to satisfy the King as their lord. To satisfy him as the fountain of national law and order they must strictly carry out the provisions of the law of Frankpledge, and be ready to answer to his judges when they came on their circuits by producing juries of inquest whenever required. They must also carry out the requirements of the Assize of Arms and organize themselves into a local militia.

As Richard's Charter granted the citizens of Norwich the same liberties and customs as the citizens of London possessed, it is well to observe at once that the municipal organisation of the two cities was developed on quite distinct lines. The municipal divisions of London were at this time, and always after, associated each with its own ruling Alderman.¹ No such conditions existed in Norwich. Before the time of the Conquest the Vill, as we have seen, had included three lordships, one of which the main "burgh" (out of all proportion the largest of the three) was itself formed by the union of three originally distinct settlements, which were even then, to some extent, topographically separated. As the result of the Conquest one of the two smaller lordships (Stigand's) disappeared and the other (Harold's) perhaps became amalgamated with the new French "burgh," which in influence, though not in numbers, rivalled the old English "burgh."² Thus during the twelfth century, while

¹ Loftie *Hist. Towns*, London, pp. 73, 88, 97. Norton *Const. Hist. etc.* pp. 58, 59.

² The then newly established Monastic Precinct was at the time outside the bounds of the Vill.

the municipal life of Norwich was emerging into conscious activity, there were at first two rival burghs. The French burgh was a compact unit; the English, governed by local conditions, must, more or less, have consisted of three sub-divisions. At what time the two burghs ceased to be opposed to one another we cannot say; we have suggested that the Charter of Henry II. implies that the process of union was at least far advanced about 1158. Now, in the following century, when we first meet with definite evidence of municipal organisation, we find it based upon these same four divisions, the three of the English and the one of the French. The two burghs have so thoroughly amalgamated by that time that their divisions are mixed together. The official order is and always continued to be Conesford, Mancroft, Wymer, Over-the-Water. The second was the name of the district which had been the French burgh. The third was what had formerly been called Westwyk, and the fourth what had originally been Coselanye. It will be seen at once that this organisation originated from topographical conditions, and was not founded on seignorial franchises.

These considerations may fairly warrant the assumption that this organisation was sufficiently in working order at the time of Richard's charter of self-government to meet its various requirements, fiscal, police, judicial and military. As the Reeve of 1194 was the first of the long series of elected chief rulers which still continues, so also we may say that the citizens, who elected him, in all probability gathered for that purpose in the four municipal divisions which for 210 years were known as the four Leets, and afterwards for 431 more as the four Great Wards of Norwich, always retaining the same names down to the Municipal Reform Act of 1835.

4. *Other Effects of the Charter.*

On most of the details of administration we have no direct evidence. There must, we suppose, have been some method other than that of a tumultuous open-air meeting by which the "commune consilium"¹ of the citizens could be expressed. The "husting" or borough court mentioned in the charter may have been summoned for administrative as well as judicial business. But

¹ This expression is used of Lincoln, 1200 (Stubbs *Select Charters* 312), Ipswich, and Gloucester (Gross *Gild Merchant* II, 115, 374). It can at that time only denote a common assembly not an elected "common council."

the question of the possible character of a municipal assembly at this period would involve the very difficult question as to the rights and conditions of "citizenship" which cannot at this early stage be discussed for lack of evidence.

One obvious question must be mentioned, but must also be reserved for later consideration. In the well-known case of Ipswich¹ only a few years later than Richard's grant to Norwich, the townsmen on receipt of their charter, besides electing chief officers as the charter allowed, proceeded also to elect twelve "portmen" to conduct the business of the borough "as there are in other boroughs of England." If this were indeed the common practice at that time in the towns known to the men of Ipswich, we might be justified in concluding that Norwich, one of the most important of them, would not be an exception. But the actual record which contains these words is not contemporary,² and, however natural such a step may seem, a local historian is bound to adhere to his local evidence. Our first definite evidence of such a select body in Norwich is 100 years later than Richard's charter, and for long after that time it is hardly possible to say that there was any permanent administrative body apart from the general community.

Coroners. The charters of Richard and John frequently gave the right to elect Coroners. Norwich at an early time had two, but there is no record of their first appointment. We may assume that it would coincide with the grant of self-government, for it must be remembered that the office was a comparatively new one, and as yet the Coroner was rather the officer of the Crown than of the townspeople. As his name implied, his duty was to watch over the interests of the King, and that in fiscal no less than in judicial matters. He was a check on the Sheriff on the one hand and on the local authorities on the other. To be able to elect such an official from among themselves was, of course, a privilege greatly valued by those who possessed it.

View of Frankpledge. This was a right which was very frequently claimed by the holder of a franchise as an incident of lordship. It would most probably pass to the citizens with "the city and its appurtenances." Such was the view expressed by the Crown advocate at the Inquisition at Cringleford in 1417 already referred to. The citizens³ and commonalty, he pleads, have no

¹ *Ipswich Little Domesday*, fol. 77.

² *Gross Gild Merchant* 114 dates it "in the time of E. II."

³ No. CCLXXXVI., Indictment 7.

right to hold view of frankpledge &c. in certain exempt districts "for that the said citizens and commonalty had no view of frankpledge nor any liberties or privileges except by grant of the said King Richard &c." But it must be understood what was meant by this right at the time. The primary object of holding a View of Frankpledge (or "Leet," as it was called in East Anglia) was to enquire into the due observance of the law by which every male of 12 years old and upwards (with some exceptions) was bound to enrol himself in a tithing, the members of a tithing being mutually responsible for each other's good conduct. At the View, which was held twice a year, amercements were exacted from those who were not duly enrolled. It was the duty of the Sheriff to hold these enquiries and he took the amercements for the King. But the manorial lords who were strong enough and boroughs which had won the right of self-government claimed to keep out the Sheriff and take control of the organisation with its penalties for their combined freedom and profit. Hitherto the Sheriff of Norfolk would have conducted this enquiry at Norwich. Now the citizens by their own officials held their View of Frankpledge in their own court.

Beyond this primary object of enquiring into the observance of frankpledge a "Leet" had already begun to exercise a further function, that of a court of local jurisdiction in petty offences. This was, of course, a more important and more profitable branch of local authority. We shall hereafter review abundant evidence as to its exercise in Norwich. But its origin must be connected with a further change in the government of the city which took place about a generation later than the granting of Richard's Charter. If so, the Sheriff would, in the interval, continue to summon the citizens to answer the enquiries as to offences ordered by the Assize of Clarendon in 1166.

5. Nothing more touching municipal development in the city is recorded in the reigns of Richard or John. The latter King granted the citizens a charter¹ in his first year (1199). Though issued in his own name and without any reference to Richard, it is a mere verbal copy of the preceding charter, except that the fee-farm rent is ordered to be paid in "blanch" instead of in "tale." This, however, was not new, for the obligation is so expressed in the time of Richard.²

¹ No. V.

² Pipe Roll 9 Ric. I.

In 1205 a Fine was levied between the citizens and the Prior, defining their mutual relations in the suburban pasturage of Eaton and Lakenham. In the disturbance which marked the close of the reign of John and the accession of Henry III., Norwich Castle was occupied by Lewis the French King, and the City suffered great damage. But these disputes and disturbances did not affect the government or administration of the city, nor do they throw any side light on their details.

III.—Communal Government under 4 Bailiffs, 1223 to 1404.

1. *Four Bailiffs in place of a Reeve.*

Not long after the commencement of the reign of Henry III. the official headship of the city was transferred from a Reeve to four Bailiffs. No actual authority for this step is to be found and its exact date is not quite certain. It is traditionally assigned to the King's sixth year, 1223.¹ The titles in official documents addressed to Norwich at this period do not solve the question. As early as 3 John "Ballivi Norwici" are addressed.² In 14 John, we find "Rex Prepositis et probis hominibus Norwici,"³ in 1 H. III. "Rex Ballivis et Prepositis Norwici."⁴ Again in 1229, when there certainly were Bailiffs the Charter of 13 H. III. speaks as though "Prepositi" were still being elected. Apparently the King's clerks did not recognise any definite distinction between the two titles.⁵ But it certainly adds to our appreciation of the change which was now taking place in Norwich if we mark what seems to be the natural distinction. The "Prepositus" or "Reeve" was so called in reference to his relation with his fellow-citizens. He held the *headship* of the city or borough. The "Bailiff" was so called in reference to the over-lord of the borough, generally the King. He was the *executive* officer of the King. The confusion arose from the two functions being so frequently united in the same person or persons.

Our local records do not furnish quite sufficient evidence to arrive at a precise date. It is true that Blomefield gives a list of

¹ Blomefield III. 43, Merewether and Stephens, *Hist. Engl. Boroughs*, I. 437.

² Palgrave *Rot. Cur. Regis*, p. 413.

³ *Close Roll*, 14 John.

⁴ *Close Roll*, 1 H. III.

⁵ See Miss Bateson's remarks in *Records of Leicester* I. pp. xliii., xlv., and cf. the case of Ipswich (*Gross Gild Merchant* II. 115.)

Provosts and Bailiffs with a bare admission that he is not quite sure of it. In fact he has taken the names from a list in the *Book of Pleas* where no dates are assigned to them. It is, however, possible to compile a correct list of Bailiffs as far back as 1248, and there remain at least 23 other recorded sets of names of uncertain date.¹ This would carry us back to 1225, so that the date 1223 may be taken as fairly correct.

2. *Police Jurisdiction.*

More important than the exact date is the intention of the change. It must have been connected with the assumption of leet (or police) jurisdiction by the citizens. It has already been observed² that a "Leet" court (the court of a franchise as distinguished from that of the Sheriff in the rest of the county) had by this time come to include local jurisdiction in the matter of petty offences. This jurisdiction consisted of the annual presentment of offences by local juries, the penalties being amercements of money assessed by elected members of the jury. This communal system of maintaining order arose out of the responsibility thrown by the central authority on the various local organisations of the kingdom, and it dealt with the minor offences which the King did not require to be reserved for his own judgment through his appointed judges.

Before the end of this century we find this jurisdiction in full operation in Norwich and presided over by the Bailiffs. The city is divided into four Leets, and the Leets are organised into an elaborate system of subdivisions for police purposes.

Now we have seen that the four principal divisions were of very much older origin and must have been utilised for the general administration of the city by the time of the first election of Reeves in 1194, if not long before. We may conclude, therefore, that the number of four Bailiffs was adapted to the number of the four existing municipal divisions, and that from the first they were associated with the police jurisdiction which was (theoretically) a royal function exercised through the Hundred organisation. They were, in fact, the King's Bailiffs of the Hundred of Norwich.³

¹ *Norf. Arch.* XI. 227. *Le Strange Norf. Official Lists*, p. 87.

² *Ante* p. xxiv.

³ In this capacity we find them appearing conjointly before the Itinerant Justices with 12 Hundred-Jurors, while the adjoining Hundreds appear with one Capital Bailiff and 12 men (*Assize Roll*, 14 E. I., 1286.)

MAP I.

LIST OF PARISHES, BRIDGES, AND OTHER SITES IN MAP I.

Churches.

1. St. Peter de Suthgate
2. St. Edward
3. St. Etheldreda
4. St. Clement de Conesford
5. St. Julian
6. St. Michael de Conesford
7. St. Peter de Parmentergate
8. St. Vedast
9. St. Cuthbert
10. St. Ethelbert
11. St. Mary the Little
12. St. Martin in Ballia
13. St. John de Berstrete
14. All Saints de Berstrete
15. St. Michael de Berstrete
16. St. Bartholomew de Berstrete
17. St. Sepulchre
18. St. Winwaloy
19. St. Stephen
20. St. Peter de Manecroft
21. St. Giles
22. St. Benedict
23. St. Swithin
24. St. Margaret de Westwick
25. St. Laurence
26. St. Gregory
27. St. John de Maddermarket
28. St. Cross
29. St. Andrew
30. St. Michael de Motstowe
31. St. Peter de Hundegate
32. St. George before the Gates of the Holy Trinity.
33. St. Simon and St. Jude

34. St. Martin before the Gates of the Bishop.
35. St. Giles' Church and Hospital
36. St. Michael de Coselanye
37. St. Mary de Coselanye
38. St. Martin de Coselanye
39. St. George de Colegate
40. St. Clement de Fibriggate
41. St. Mary Combust
42. St. Olave
43. St. Augustine
44. St. Botolph
45. St. Margaret de Fibriggate
46. All Saints de Fibriggate
47. St. Saviour
48. St. Edmund
49. St. James
50. St. Paul's (Norman's Hospital)
51. St. Mary in the Marsh

Bridges.

- A. Bridge of Coselanye
- B. New Bridge
- C. Fibrigge
- D. Bridge of St. Martin

Other Sites.

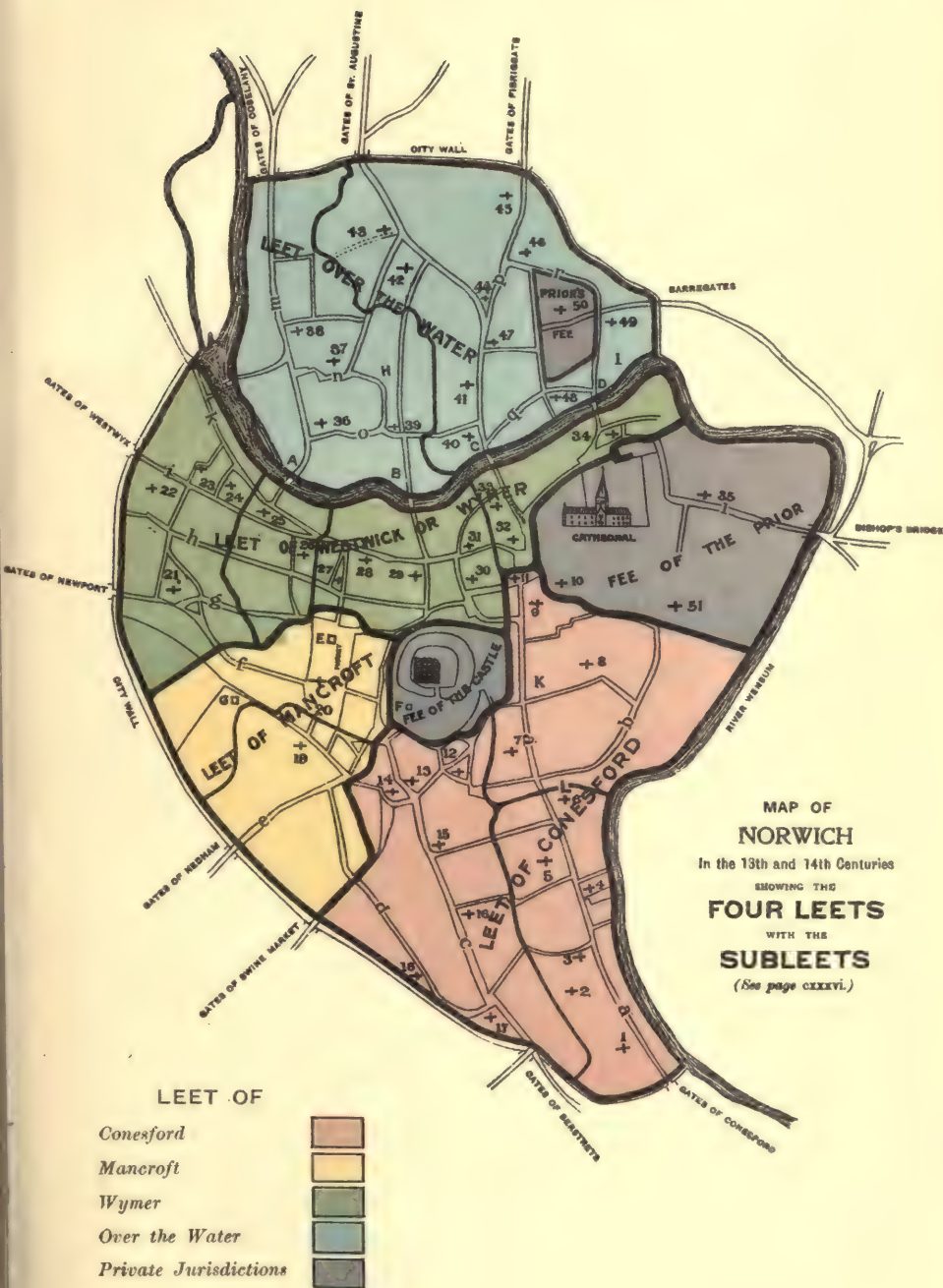
- E. The Tolhouse
- F. The Shire House
- G. College of St. Mary in the Fields
- H. First Site of the Black Friars
- I. Site of the White Friars
- K. Site of the Grey Friars
- L. Site of the Austin Friars

Names of Streets marked by letters with their modern names.

- a. Over Conesford (King Street)
- b. Nether Conesford (Mountergate Street and St. Faith's Lane)
- c. Berstrete
- d. Newgate (Surrey Street)
- e. Nedhamgate (St. Stephen's Street)
- f. Over Newport (Bethel Street)
- g. Nether Newport (St. Giles' Street)
- h. Pottergate
- i. Over Westwick (St. Benedict's Street)

- k. Nether Westwick (Lower Westwick Street)
- l. Holmstrete (Bishopgate Street)
- m. Coslanye (St. Martin's Street)
- n. Muspolgate
- o. Colgate
- p. Fibriggate (Magdalen Street)
- q. Fishergate
- r. Cowgate

MAP I.



It is quite possible that even under the Reeves there may have been four subordinate "bailiffs." When the Sheriff of Norfolk came (as he had done hitherto) to Norwich to enquire into offences under the Assize of Clarendon he might have summoned the whole city as one of the Hundreds of Norfolk. In that case, not the Reeve, but a Bailiff of the Hundred would have appeared with 12 men. But the size of the city, already organised for other purposes in four divisions, makes it extremely probable that even then each of the four divisions was (as we find in 1288)¹ an integral Hundred of itself, and that four bailiffs, each with his 12 men, appeared before the Sheriff.

If this supposition is correct we may easily see the change which was effected in 1223. When full police jurisdiction (beyond the more limited View of Frankpledge) passed into the hands of the citizens there was more than one course open to them. They might have retained their chief officer with his old title of Reeve. Or they might presumably, if they pleased, like other towns of less importance, have called him Mayor. The bailiffs would then have acted under him as King's officers. Or they might dispense with their present head and make the four Bailiffs into their chief officers, combining in their hands the old jurisdiction and the new. They chose this course. So the new Bailiffs exercised a double function, partly inheriting the headship of the city as successors to the Reeve, partly taking the place of the Sheriff of the county as police officers of the King.²

3. *The organisation of Subleets.*

We have pre-supposed that at this time was originated the system of subleets which forms so distinguishing a feature of the municipal history of Norwich. A detailed description of their constitution and action in the matter of police jurisdiction must be reserved for an account of that branch of the city administration.³ When we first meet with them in 1288 they are eleven in number, but probably there were originally twelve. They were plainly artificially formed by subdividing the whole number of about 160 tithings in the city in such a manner that each sub-

¹ See Introduction XII.

² It may be said that the Reeve also had in some sense taken the Sheriff's place, as in the direct payment of the fee farm rent. But in that case the Sheriff acted for the King rather as lord of the city than as ruler of the kingdom.

³ Introduction, Section XII.

xxviii. *Selected Records of the City of Norwich.*

division contained at least 12 tithings. This was because the annual presentments at the Leet Courts were made by the chief pledges of the tithings, and for this were required not less than 12 sworn presenters. Each of the subleets made its presentments by itself. Moreover, as the tithings were subordinate to the parishes,¹ the subleets consisted mostly of groups of adjoining parishes. One or two populous parishes could produce sufficient capital pledges to stand as subleets by themselves. Other subleets contained several parishes grouped together. Yet, although each subleet acted separately, they were supposed to be only subdivisions of the four Great Leets, three of the subleets belonging to Conesford, two to Mancroft, four to Wymer and two (perhaps originally three) to Ultra Aquam. These subleets (with a few rearrangements) continued to form the basis of the leet and also the militia administration of the city till the great civic reorganisation beginning in 1404, and finally by a slight modification they became the 12 Aldermanries (or Petty Wards) of the later constitution.

4. *Charters of Henry III.*

In his 13th year (13 December, 1229), Henry granted a Charter^a to the citizens. Like the Charter of John it is (though granted *de novo* in Henry's name) a verbal copy for the most part of the charter of King Richard. It has, however, two additions: (i.) it gives the citizens the right to tallage and exact aids from all who reside in the city and share in the liberties,⁸ whenever the citizens themselves are tallaged; (ii.) it re-affirms, in the words of the charter of Henry II., the obligation on all who have withdrawn from their customs to return.

Another charter⁴ granted in his 39th year (3 June, 1255) exempts citizens and their goods from arrest for debts in cases where they were neither principals nor pledges. This was not to apply to cases where the debtors, belonging to their "communa," had sufficient to pay the whole or part of the debt and yet the "citizens" failed to do justice to the creditors. Besides the commercial bearing of this charter we must carefully notice the word "communa," here used for the first time in our records. It is plainly equivalent to "cives"

¹ Doubtless not as ecclesiastical units. An urban parish was utilised as equivalent to a country vill or township. See No. L. At Leicester four wards seem to have been so used. *Records of Leicester* I. 359, note 3.

² No. VI.

³ Not necessarily in the government.

⁴ No. VII.

considered as an organized body. If the debtors belong to the "communa" the "cives" are bound to see that justice is done. It plainly also answers to the "societas" of the charter of Henry II., repeated in the earlier charter of Henry III. Both words must express the whole body of admitted citizens.

In the following year (25 March, 1256) a privilege of great importance was conferred by a further charter.¹ This was the Return of Writs touching the city and its liberties. It was also granted that the citizens might by their own hands answer to the Exchequer for all debts and demands and no Sheriff or King's Bailiff should enter the city to make distrains for debts, except on default of the citizens. This privilege, somewhat strengthened by the charter of 33 E. I., was described as the "return and execution of all writs," and was constantly appealed to as a most valuable basis of self-government. Numerous cases of the way in which it was used are preserved in our records.² The writs in such cases were still directed to the Sheriff, but he had to pass them on to the Bailiffs. When due notice had been given to the parties concerned the writs were returned to the Sheriff. But the Bailiffs, being thus aware that certain cases belonging to their jurisdiction were about to be tried in the King's court at Westminster or elsewhere, took care to appear at the place and day named in the writ and claimed the case out of the King's court into their own by virtue of the chartered right of the citizens not to be forced to plead or be impleaded outside the city. The claim was always allowed and the case transferred to the local court.

This charter contains another short but important clause "that no gild shall be held in the city to the detriment of the said city." It will be shown in dealing with the commercial progress of the city that this grant does not refer to a "merchant gild"³ but was intended to prohibit the formation of private guilds of craftsmen who were beginning to claim to control their own members and take fines and amercements from them which should have gone to the common profit of the citizens.⁴

5. *Enclosure of the City.*

Perhaps, on the whole the most important event of this period was the enclosure of the city in 1253 with a bank and ditch. The

¹ No. VIII.

² See the procedure in No. CCXLI.

³ So Merewether and Stephens explain it, *Hist. Engl. Bor.* I. 437.

⁴ See No. CCCXVI.

royal licence granting this privilege is not preserved, but there is no reason to doubt the definite statement of the monks of the Cathedral Priory.¹ They complain that the citizens then enclosed many lands in various directions which had hitherto belonged to other lords and had lain in other hundreds. These lands are specified and may be fairly traced. The conclusion, however strange, seems to be inevitable, that up to this time the city had possessed no defensible circuit. Yet the word "suburbium" occurs in documents of an earlier period. As already suggested, the question may be more fittingly discussed in connection with the disputes about jurisdiction in the suburbs at the beginning of the 15th century.

It may be asked, For what purpose did the citizens obtain this license and undertake a work of great expense? No doubt, partly, in self defence. In 1174 and again in 1216 they had been plundered without apparently being able to defend themselves. But it may be conjectured that they desired still more to secure to themselves the more complete enjoyment of their growing privileges. Access to and from the country was henceforth blocked except through gates provided for the main roads.² Control of all sorts, especially in respect of tolls, could more easily be maintained. Neither of these objects was fully attained till the bank was surmounted by a wall, which was not begun for more than 40 years and not finished for nearly 100 years. Even the bank itself was perhaps not completed when 14 years later, in December, 1266, the Disinherited Barons attacked the city and, in spite of the attempted resistance of the citizens, had no difficulty in storming it and subjecting it to terrible slaughter and plunder.³

6. *Great Riot; question of a Governing Body.*

Before the citizens could well have recovered from this catastrophe there occurred the most disastrous riot in the annals of the city. In 1272, in consequence of a quarrel between the monks and the citizens, the latter attacked the monastery and destroyed many of the monastic buildings as well as doing serious damage to the Cathedral.⁴ The King himself hurried to Norwich.

¹ *Fundatio etc.*, No. XXXIII.

² *Opposition of Country People, etc.*, No. XXXIV.

³ Chronicle of Thomas Wykes, anno 1266.

⁴ A full account of the riot is given by Blomefield (III. 53 to 58) taken from the *Chronicle* of Bartholomew Cotton, a monk of Norwich, the *Liber Albus* of Norwich f. 127, and other sources.

The city was put under an interdict, many of the citizens were hung or fled for their lives. The liberties were seized and were not restored till 1276. King Henry died soon after the riot. The citizens were condemned to pay 3,000 marks towards repairing the damages to the Cathedral and other buildings, and King Edward I. was present at the reconsecration of the Cathedral on Advent Sunday, 1278.

In the course of this disturbance we meet with what appears to be a definite statement as to the government of the city at this time. It occurs in the Bull of Excommunication issued in 1273¹ against the "citizens and community" (*cives et communitatem*) of Norwich. Throughout the document the offending parties are described as the "*universitas Norwici*." This "*universitas*" or "*communitas*" must, as usual, mean the whole body of citizens, not here as distinguished from non-citizens but as distinguished from the monks and their supporters. But is the word "*cives*" simply redundant, or does it distinguish some citizens from the rest of the "*communitas*"? Some language in a later part of the document seems to show that such a distinction is intended. After describing the first excesses the Pope proceeds, "The afore-said university and especially Nicholas de Ely, Roger de Swerdeston, William de Dunwich and Adam le Spicer rulers (*rectores*) of the city who are commonly called Bailiffs and also Master John le Brun [and others named, 16 in all] citizens of Norwich by whose counsel the said university at that time was ruled" were summoned to come into the monastery. They came, but stirred up more mischief, etc. Blomefield accepts this statement to mean that these four Bailiffs and 16 others were "the governours and common-council of the city of Norwich at that time." It is certain that there was no "common council" (as representatives of the community) in Norwich till 130 years after the date of this riot. But the 16 might have been elected as the "24" were at a later time to assist the Bailiffs. The number would represent four chosen from each Leet. On the other hand the number may have been a mere accident. In 1267, the Master of the Hospital of St. Paul claims the rights of the Hospital against 12 specified citizens including the four Bailiffs.² In 11 Edward I. (1283) 24 citizens witness an important Deed of Obligation on behalf of the Community.³ In

¹ Extracts are given in No. XXXV.

² *Coram Rege* Roll, 52 H. III.

³ No. CLII.

14 E. I. (1286) 12 of the richer and more discreet men are to be seized for non-payment of debts to the King.¹ While, therefore, we take note of this statement we must reserve our judgment as to whether we have here a trace of an annually elected body of citizens until we come to the mention of the "24."

It must have taken the citizens some years to recover from the effects of these two catastrophes. But when they had once settled down, they enjoyed a very long period of immunity from any serious political trouble. They did, indeed, incur the King's displeasure in 1285 by summarily hanging a thief who had been indicted at the leet but had not been caught in the act.² The liberties of the city were seized at Easter and restored (with pardon for the burning of the Cathedral in 1272) on 27 May.³ On the same day a royal Charter⁴ was also granted, reciting and confirming the two charters of 13 and 40 H. III. On St. Peter's day (29 June) the Warden appointed during forfeiture gave place to two Bailiffs who sat till four were regularly appointed at the following Michaelmas.

On 8 July, 1305, the King granted the citizens a second Charter⁵ which in the prolonged litigation of the 15th century was often appealed to as a basis of liberties. Its immediate occasion was a petition from the citizens for the grant of jurisdiction in the Leet of Newgate.⁶ This was a portion of the city which had belonged to the Prior but had lately been recovered in a law suit by the Crown. It was now granted to the citizens, £10 being added to the fee farm rent. The Charter also re-affirmed their exemption from extrinsic pleading and serving on juries, with the addition that in intrinsic appeals they should be convicted by none but their fellow-citizens. Some other clauses were either new or extensions of their former liberties: (i.) all persons arrested in the city should be detained only in the city prison or in custody of their bailiffs till they were rightfully delivered to the justices; (ii.) execution of all summonses and all "regalia" were to be in the hands of "our bailiffs,"⁷ and no Sheriff or other foreign royal servant should exercise any regality within the bounds of the city except in default of the Bailiffs; (iii.) the Bailiffs might assess tallages on the whole community "by assent of the whole community or the major part thereof"; (iv.) non-user of any liberties

¹ Madox *Firma Burgi*, p. 184.

² No. LXXXVII.

³ *Rot. Pat.* 13 E. I. m. 18.

⁴ No. IX.

⁵ No. X.

⁶ Now Surrey street.

⁷ The Bailiffs of the city.

in the past was not to be a bar to their future use. The specific statement of all these rights caused this charter to be cited on many future occasions.

On 4 December, 1306, they further strengthened their position by making a Composition¹ with the Prior and Convent settling (at least for a time) various questions of disputed jurisdiction.

7. The City at the close of the 13th century.

We may look upon the period on which the city entered at the restoration of their liberties in 1285 as marking one of those fresh starts which we meet with from time to time. The two Bailiffs who took in hand the government of the city on 29 June at once began a new Roll of Deeds enrolled in the City Court.² Earlier Rolls are referred to, but they are lost. From this time they run continuously till 1340. The activity of the citizens is evidenced by the fact that before the century was out more than 1,000 deeds (nearly all conveyances of property) had been enrolled. Three years later than these charter Rolls begins a valuable series of Leet Rolls³ of which seven belong to this period. Besides these we have an Account Roll of a City Chamberlain running from 1293 to 1305.⁴ And lastly to this period we may assign at least the substance of a "Custumal" which is printed in this volume from a 15th century copy, but of which a more original copy has since unexpectedly come to light in the recently recovered "Book of Customs."⁵ It is unfortunate that none of the records of the municipal Assembly until a much later date have survived. Still, with the help of the abundant material which time and neglect have spared to us, we can picture to ourselves with considerable fulness the condition of the civic life of Norwich at the close of the 13th century and the commencement of the 14th.

8. First we must take the "communitas."⁶ To it and it alone is all official authority ascribed in matters of self-government. In the absence of any records of the Assembly at this period the evidence for this statement can only be indirect. But it is sufficiently clear. Grants and licenses to deal with public land or property⁷ are issued in the name of the community. When a thief is to be tried under

¹ Blomefield III. 71.

² Nos. LXXXIX. to CLI.

³ Nos. CCCXIII. etc.

⁴ This will be given in Vol. II.

⁵ See p. xxxix.

⁶ This word is best translated "community" when it means the whole body of citizens; and "commonalty" when it is restricted to the commons as distinct from a select body.

⁷ Nos. XCI., CXXVI. etc.

the seignorial privilege of "infangentheof" it is the "tota communitas" before which he is presumed to be standing and by which he is condemned.¹ When the cherished Charters of Liberties and other public documents are handed for safe custody from one official to another it is to the community that they are said to be delivered up by the former, and by assent of the community they are transferred to new custodians.² When the most solemn sanction is required for any public act it is sealed with the "sigillum communitatis."³

This is common knowledge. The question is, What is meant by "communitas" at this period? We have seen that in earlier instances of its use it is plainly a description of the whole body of citizens. So it manifestly must be at the time of which we are now speaking. The King grants rights and privileges and authority to the "citizens" of Norwich. The "community" of Norwich enjoys and exercises them. We must further ask therefore, What is meant by "civis" at this time? The answer given by our records is plain. A "citizen" at the close of the 13th century (whatever may have been the case before) was one who, having sought admission into the privileged and exclusive body which possessed the chartered liberties, after due examination and on payment of duly arranged fees was admitted into participation with the existing members of the body. The early Leet Rolls are full of cases of persons presented for exercising the rights of citizenship without having "made their entry." The conditions of admission are set forth as matters of solemn obligation in the 36th chapter of Customs.⁴ Resident inhabitants who had never been admitted "into the freedom," although they necessarily shared in some of the liberties, had no share in the government of the city, and might at any time after a residence of a year and a day be called upon to obtain their admission.

The Bailiffs. The authority exercised by the Community over its members was, of necessity, committed to a definite executive. This was the four elected Bailiffs. As already observed, they had succeeded to the Reeve's position as chief citizens as well as being for other purposes the King's officers. The almost invariable title of the governing body at this time, if not "communitas" alone, is "Ballivi et Communitas." Over all the meetings of the citizens, whether administrative or judicial, the Bailiffs presided.

¹ No. LXXXVII.² No. CXVIII.³ No. XCII.⁴ No. XLIX. ch. 36.

9. *A select body of citizens.*—On this subject, already approached more than once, we are able now to make a slightly more definite statement. In two chapters at the end of the Custumal we have the first actual mention of an annually elected body of Twenty-Four Citizens. In Chapter 46 it is ordained that in order to avoid fraudulent work supervisors should be appointed in each craft. These supervisors are to be chosen by "the Bailiffs and 24 of the city elected in common." If they report any false work the "Bailiffs and 24 elected in the name of the community" are to exact amends from the delinquents. If the supervisors themselves fail in their duty they are to be heavily amerced "by the common decision of the 24 elected by the community." The 47th Chapter, dealing with the just assessment of tallages between the rich and the poor, directs that the collectors, receivers, and the Chamberlain of the city should annually on the feast of the Nativity of the Blessed Mary, and at other times if required, render an account "before the 24 or the major part of them who shall be in the city."

The first of these chapters might refer to a body annually elected for a special purpose. Such a special body is mentioned in Chapter 36, where it is ordered that newly admitted citizens should "make their entry before those who are assigned for that purpose by the whole community every year." The number of these persons is not given, but it is ordered that "at least 12 of those assigned" should always be present. The 47th chapter, however, seems undoubtedly to refer to an official body known as "the Twenty-Four" and entrusted with authority of a high order. On the other hand, it seems certain that they were entirely subordinate to the "Community," and did not even (as a body) take part in the deliberations of the Assembly. Chapter 45 of the Custumal, immediately preceding the mention of the "24," must be held to prove this. Public business, it says, is often hindered because citizens when summoned to common assemblies do not trouble to come. Therefore in each leet the sergeant of the bailiffs is to summon of the better and more discreet, 12, 10 or 8, according to the size of the leet, to come on fixed days. If they then fail they are to be fined. Now at a later time we shall find that this very obligation of attending assemblies under a penalty for absence is especially laid on a body of "24." If that had been the case with the "24" of the Custumal there would have been no occasion for the order in Chapter 45. The

blame would have been thrown on those who were bound to attend. If then they had no official connection with the Assembly it is plain that they in no sense occupied the position of a Common Council, nor (which is the more correct parallel) of a superior body of Aldermen, as they eventually became.

10. *Citizens and Community*.—We cannot rise from a study of the Custumal without concluding that, in theory, between one citizen and another there was absolute equality whether of privilege or burden. The common expression in the 13th century Leet Rolls is "conclivis," fellow-citizen. Throughout the Custumal, and especially in the chapter which deals with the mode of admission the still more significant expression "par civitatis" is used. An applicant is admitted "in parem civitatis" (to become a "peer" of the city), that is one who at least in rights and liberties would after admission stand on an equal footing with all the other members of the body.

Yet although the community was thus made up of so many "peers" or equals, we certainly find from time to time an apparent distinction made between some and others. We find the acting authority on some occasions described as "Ballivi, Cives et Communitas." We have considered a case in connection with the Riot of 1272.¹ It occurs also in the Agreement in 1306 between the "Prior et Conventus Norwici" and the "Ballivi, Cives et Communitas."² Even in deeds amongst themselves it is not infrequently found.³ What are we to understand by this? After what has been said we cannot allow that there were any "citizens" who were not members of the "community," or that there was any "community" other than the whole body of "citizens."⁴

We may note that instead of "civis" another expression is sometimes used, "probi homines," men of trust and credit. This may help us to a conclusion. The word "civis" in this compound title did not at this time denote official rank but social condition. It described the class of leading citizens. Sometimes it meant those who were actually present and acting in the name of the whole Community. Sometimes it described the class in general, especially

¹ p. 39. ² p. 41. ³ No. CXXIX.

⁴ A suggestion to this effect has been made by Mrs. Green, *Town Life in the Fifteenth Century* II. 368, 399. The writer is no doubt correct in thinking that the burdens of citizenship led to inhabitants shrinking from asking admission to the freedom. But surely those who did so were not reckoned as members of the franchised "community."

when the words "probi homines" or similar expressions are used."¹ It is necessary, in this connection, to remember that the law had not yet come to treat a "communitas" as a responsible unit apart from its individual members. If default arose in any obligation to the King he would visit it personally on the Bailiffs and leading citizens. The Sheriff might be ordered to seize any he could find. This burden of responsibility thus forced from without on the leading citizens was, in all probability, as we shall see, the most potent of the influences which made for the so-called oligarchical development of municipal government which culminated in the "corporations" of later times.

11. We may ask, How could such an indeterminate class be distinguished? The answer is, that the citizens undoubtedly did recognise a classification of themselves according to property. For instance, Chapter 47 of the Custumal speaks of the "greater men," the "middle people," and the "poor" as three distinct classes.² This has reference to taxation, and was a matter which the citizens and non-citizen inhabitants would have to settle among themselves. But beyond this we may observe that there was one way by which the property qualification of their fellow citizens (especially of the "greater men") was patent to all men's eyes. This was a View of Arms held under the requirements of the Assize of Arms.³ On such occasions the men who were required by their property qualification to be fully armed and ride as knights were manifested to all as the rich. The men who were required to be armed but not to be mounted might pass for a middle class, while the mass who wore no defensive armour and carried any offensive weapons they chanced to possess would be counted for the poor. This spectacle must have been familiar to all, and may help us to see that the terms "rich" and "poor" might be used with a fairly true definition.

When, therefore, it was desired within the city to summon to their duties those who were best able to bear civic burdens, or from without to fix responsibility on those who could afford to satisfy the penalties demanded by outraged royal authority, there was no difficulty in selecting the fitting persons.

12. How far and in what ways the leading citizens were called upon to serve officially we can gather to some extent. One

¹ No. XCIX ; Custumal ch. 45.

² See also No. XXXVI.

³ See Preface to Militia, etc., Introd., Section XIII.

xxxviii. *Selected Records of the City of Norwich.*

principal duty laid upon them was evidently that of assessment. The property qualifications sufficient for the Assize of Arms would not be definite enough for the subsidies, tallages and other demands which were so often made. Even if an assessment were allowed to run for more than one demand it would require revision very soon. This was apparently a fertile source of complaint on the part of the poorer classes. Again, the burden of suit of court, of the details of which we unfortunately have no actual evidence, must have been borne by the rich. There is some slight trace of their presence as assessors to the Bailiffs in the Leet Courts,¹ and the Bailiffs must have had supporters in the Civil Courts. Day by day they sat in their court for the transaction of business, much of which, as we may see by a perusal of the Customs, involved a knowledge of many intricate points of law. Whoever they were who formed the "court," they must have been experts in such knowledge, and moreover a large proportion of the leading class, which after all was only limited, served once or more in the arduous and responsible office of Bailiff.

While therefore we fail to find as yet any select body who can be said to stand above or even in place of the Community, we certainly find trace of a fairly developed ruling class being gradually evolved out of the Community by political and social influences. That private interest worked in the same direction is doubtless true. But so far as we are here concerned in tracing the development of the municipal institutions of the city it is enough to say that, apart from any designs of self-interest, the leading class of citizens at the beginning of the 14th century was but fulfilling the destiny to which it was urged by the needs of its surroundings. How that destiny in course of time shaped itself into the more concrete form of a distinct ruling body on the one hand and a representative council of the rest of the citizens on the other it will be our task to show.

IV.—The Evolution of a Select Body of Citizens during the 14th Century.

1. *The Reign of Edward II.*

We have seen that in 1305 the citizens had obtained the jurisdiction over an exempt part of the city as well as some

¹ *Leet Jurisdiction in Norwich*, p. xli.

confirmation and even enlargement of their Charter ; and that in December, 1306, they had further consolidated their position by a general Agreement with the Prior and Convent, their principal rivals. We here come upon the earliest of those City Books from which so much of our information is derived, the "Book of Customs."¹ It was not a book of "Memoranda" according to its original design. It has an original table of contents which enables us to ascertain its date and purpose. It begins with a copy of the "Custumal." Then follow the Charter of 13 E. I. and the pardon for the damage to the Cathedral granted the same day. After that are entered the grant of Newgate in 1305 (described as "against the Prior and Convent") and the Agreement with these rivals in December, 1306. These are all the local documents originally included. The rest of the contents consists of Statutes and royal Ordinances, the earliest being Magna Charta of 9 H. III. and the latest the Statutes of Gloucester of 1298. There was therefore originally nothing later than December, 1306. On the other hand there are entered, in very similar writing, in the Book but not in the Table of Contents, the Ordinances agreed to by Edward II. in October, 1311. The Book, therefore, must have been compiled between these two dates. Now Edward I., who had made them the important grants referred to, died on 7 July, 1307. The accession of a new King, no doubt, caused the citizens to place on record their cherished Customs and the Charters granted by the late King as well as the Statutes of the Realm by which they were bound. The chief value of the book is that it enables us to assign an approximate date to the Custumal and all its varied contents, including the mention of the "24" referred to in the last section.

The 20 years of this reign contained nothing of municipal interest till quite at its close. On 2nd February and 3rd February, 1326, the King made two grants to the citizens, both dated from Walsingham. He had been in Norwich the previous week. The first of these grants,² in the form of Letters Patent, requires some explanation, especially as it is erroneously ascribed by Blomefield³ to the 19th year of Edward I. It is an order to the Justices assigned

¹ It has had a remarkable history. Quoted by Kirkpatrick and Blomefield in the early part of the 18th century it completely disappeared from the view of students and has only just come to light again. Its re-appearance was unfortunately too late for any use to be made of it in the selected documents in this volume, but happily in time to furnish some useful help in the Introduction.

² No. XI.

³ Blomefield III. 65.

to hold assizes and gaol deliveries, prohibiting them from sitting anywhere but in the Shire Hall. Justices Itinerant and some others may sit where they please. It is alleged that the former Justices held sessions in places deputed for holding pleas triable by the Bailiffs "from which a great part of the city farm is derived." They thereby disturbed the Bailiffs from holding their pleas and hindered the citizens from collecting their farm. The pleas which these Justices came to hold in the City cannot have been County pleas. They were probably City pleas which had been reserved for the Justices assigned. When holding them (say) in the Tolhouse these Justices found other pleas newly arisen ("*placita emergencia*") waiting for trial at that day and place and proceeded to try them and take the profits of court which they had no right to do. They were ordered to confine their sessions to the Shirehouse where no city pleas would have been called.

The other grant was a Charter of Confirmation.¹ It recites by Inspeximus the Charters of 13 and 33 Edward I. As the Charter of 13 Edward I. itself included the earlier charters, this amounted to a recital of them all except that of Henry II. The Charter is dated at Walsingham on the day following the Letters Patent just mentioned.

2. *The Reign of Edward III. Important Privileges.*

The commencement of the reign of Edward III. appears, if we are not misjudging certain indications, to have found Norwich in a state of something like depression. Our earliest surviving list of contributors to a subsidy is of 6 E. III. (1332.)² The total number in Norwich is only 415, an unexpectedly small number for what ought to represent the full total of resident householders. Still more unexpected is another fact revealed in this subsidy. Whereas the total contribution from the 415 Norwich tax-payers amounted to £84 8s. 6d., in Yarmouth 281 contributors paid £102 18s., implying a far greater proportionate wealth in Yarmouth than in Norwich. Two years later (in 1334) the rating of the various cities, boroughs, and townships throughout the kingdom for the purposes of a subsidy was, by mutual agreement between them and the Crown, settled permanently at certain fixed sums. The Norwich tax was then fixed at £94 12s., but the Yarmouth

¹ No. XII.

² *P.R.O. Lay Subsidies* 149.

liability was set at £100.¹ The rivalry of Yarmouth at this time was sufficient to cause no little anxiety to the citizens of Norwich. Yarmouth had control of the mouth of the river and claimed tolls and customs from Norwich goods as they passed through. The dispute was argued out in a plea held at Westminster in 1331.² It was on this occasion that the citizens traced the origin of their self-government, with the possession of their port dues and other tolls (in consideration of the payment of a fee farm rent), to the grant of King Henry II., as we have noticed in speaking of his Charter. The Norwich citizens succeeded in freeing their goods from toll but, as the subsidy of 1334 shows, Yarmouth continued for a long time to be a formidable rival. While, however, this and other indications reveal at least a temporary depression we soon find signs of energetic municipal activity. In 1337, the citizens obtained from the King a Charter³ reciting the Charter of Edward II. with all its included Charters and confirming in his own name all the privileges therein granted. They then went on to carry to a conclusion the surrounding of the city with a stone wall, a work which had been in progress ever since 1294. In 1337 a murage was granted for five years.⁴ In 1341 the King held a tournament in the city and stayed there several weeks. He doubtless observed the strength of the new walls as compared with the feeble earth-works of the old enclosure of the castle. But as yet the walls were not furnished with sufficient towers nor supplied with engines of war. This final work was accomplished by the munificence of a patriotic citizen, Richard Spynk.⁵ In return the citizens granted him and his heirs exemption from all exactions and municipal burdens, and on 25 July, 1344, he formally released the citizens from all other demands on his part.

The completion and fortification of the walls is ascribed to a desire to provide "for the profit and defence of the city and adjacent country and for the honour of the King." But it is certain that, as we observed in connection with the earlier enclosure of the city with a bank and ditch, the citizens also had in view the greater control they would thus gain over the people and goods entering into or issuing from the gates, and the greater profits to be obtained through tolls and customs.

¹ The Assessment of the Townships of Norfolk is given in the *Book of Pleas* fol. lxi., and has been published in *Norfolk Archaeology* xii. 243.

² No. XXXVII.

³ No. XIII.

⁴ *Rot. Pat.* 11 E. III.

⁵ *Old Free Book*, fols. 3, 4.

This motive is still further evidenced in the next step they took in the same direction. The extensive space of ground outside the Castle moat, consisting of two horse-shoe shaped portions still enclosed by dilapidated earthworks, was an exempt jurisdiction belonging to the King. It was a constant source of irritation to the citizens even more than the enclosure of the Cathedral Priory. They had some sort of understanding with the monks. But into the Castle enclosure, so they alleged, felons and lawless persons fled and "took refuge there and avoided justice, being screened by the Sheriff of the county and the bailiffs of his liberty and so could not be punished, which encouraged many such felons and hardened others in their wickedness."

This exempt fee the citizens were anxious to have under their own control, and perhaps, now that the defence of the city was provided for by the completion of the walls, they were emboldened to make a direct petition to the King, who was in Norwich on December 27th, 1344, to grant them their desire. They made a petition in some form and on 16 June, 1345, an Inquisition was held to ascertain what damage the King would suffer if he acceded to their request. The result of the enquiry was favourable to the citizens and on 19 August a Charter¹ was granted transferring the fee to them with the exception of the Castle with its moat and the Shirehouse which stood in the southern of the two enclosures. As an equivalent for the ordinary profits which the King would lose, an increase of £2 14s. 4d. was to be added to the existing fee-farm rent.

Beyond this important acquisition to their unhindered enjoyment of the city the Charter added still another favour. At the special request of Queen Isabel, the King's mother, and in recompense for the cost of building the walls, it was granted that the citizens should for the future be free from the jurisdiction of the Clerk of the Market of the King's household.

3. *Further Mention of Twenty-Four Citizens.*

The citizens were evidently very pleased with having secured such important advantages. They considered themselves as entering on a new career of municipal activity, and the epoch is distinctly marked in the records by the commencement of a new Book of Memoranda. This was a book now called the "Old Free Book."

¹ No. XIV.

Its original intention is stated on fol. v. To the names of the Bailiffs who served from Michaelmas, 1344, to Michaelmas, 1345, is appended the following note¹: "In whose time this paper [book] was first provided and bought by Richard Spynk, citizen of the city of Norwich, in which it was determined that the memoranda of the said Community should be set down; and in their time the fee of the Castle as regards [de] the tenants was granted to the community by charter of the King to be held for ever." Richard Spynk's purpose was only carried out for a few years. There are several most important entries relating to the years between 1344 and 1349. Then there is a gap. Again a few are entered between 1365 and 1376. About 1384 the book was utilised by the then Town Clerk for a different purpose, the enrolment of the names of newly admitted citizens. To this use it was then permanently devoted. Hence its present name.

Although (perhaps owing to the catastrophe of the Black Death in 1349) Richard Spynk's original intention was carried out only for so short a time, yet he has preserved for us some special information of great value to the student of the municipal history of the city. Among the entries for the four years, 1344 to 1347, we have the names not only of the newly elected Bailiffs but also of "24 citizens" elected at the same time in each year. The value of the entries is enhanced by the fact that in two of them a specific statement is made of the duties which the persons thus elected were intended to fulfil.

In 1344, after recording the names of four Bailiffs, two Chamberlains and four "custodes clavorum," all elected for the ensuing official year, the entry proceeds as follows: "Nomina xxiiij^{or} eodem anno electorum et ordinatorum per totam communitatem in presentia quorum seu maioris partis eorum, si omnes interesse non possint, negotia ciuitatis communitatem tangentia in actis deducerentur." Then follow 24 names, six from each of the four Leets of Conesford, Manecroft, Wymer and Ultra Aquam.

In 1345 the phraseology is somewhat altered. It runs thus²: "Nomina xxiiij. electorum de Ciuitate Norwici pro communitate et negotia eiusdem ordinand' et custodiend' per idem tempus." Then follow the names arranged under the four Leets, but not in equal numbers, and amounting in all to 26 instead of 24. Conesford has four, Manecroft and Wymer 10 each, and Ultra Aquam only two. They are all marked as "sworn."

¹ No. CLIV.

² No. CLV.

In 1346 and 1347 no description of duties is given.¹ In the former of these two years the numbers are equally divided between the four Leets, six to each. In the latter Conesford has four names, and each of the other Leets has seven, making 25 in all. In all four years the phrase "nomina xxiiiij" is used without reference to the exact number elected.

4. It is plain from the two descriptions given above that we have here the election of a body charged for a year with special obligations, and it may be the same body as that mentioned in the Custumal. But it is not easy to define with any precision what was its exact position and duties. What is meant by "the business of the city touching the community"? Would it include all the business transacted at the Assembly, or only such business (whether in the Assembly or not) as concerned the whole body of citizens? And what is meant by "reducing this business into acts"? Is that an expression for "enacting," that is, by formal enrolment?² This would seem to be confirmed by the words "in the presence of whom." If we turn to the other description, which seems to imply a wider sphere of action, it is equally lacking in definiteness. The words appear to mean, "the names of the 24 elected from the city of Norwich for the community and (for) ordering and guarding the business thereof for the said time."³ How were they to carry out this duty? We have no evidence to show. The impression left on the mind is that they were rather chosen for purposes of supervision and safeguarding the interests of the community than specially elected members of the deliberative Assembly. The absence, also, of any mention of giving counsel and assistance to the Bailiffs is peculiar if that was their position.

6.⁴ *The earliest surviving Assembly Rolls.*

The outburst of municipal activity which we have been

¹ Nos. CLVI. and CLVII.

² In the Assembly Roll for 5 Feb., 1414, we find "Nomina electorum ad essendum et ordinandum pro factura istius ordinacionis, ita quod inact", etc." The enacting here seems to include putting the ordinance into shape. On that occasion 13 persons were specially chosen. No. CXCIH. (end).

³ Cf. the similar language used of a body of 24 elected in Leicester in 1225 by the Community of the Gild "to advise the town and serve the Alderman in town-business to the utmost of their power" (*Leicester Records* I., 34).

⁴ In consequence of the recovery of the *Book of Customs*, sub-section 5, which dealt with the mention of the "24" in Chapters 46 and 47 of the Custumal, is now incorporated in *Intro.* III., 9.

considering was only short-lived. It received what must for a time have been an overwhelming blow from the occurrence of the Black Death in 1349, the effect of which upon the city will be discussed elsewhere. It probably swept off more than half of the population. For sixteen years afterwards we have no records of civic affairs such as Richard Spynk's book had begun to give us.

In the year 1365 we come to the first existing records of the meetings of the Municipal Assembly. In this respect Norwich has not been fortunate, but although these are of a comparatively late period there is no reason to suppose that any material changes had taken place for a long time before. This first existing relic consists of ten membranes fastened together, containing the proceedings from 14 September, 1365, to 16 September, 1369.¹ We are here concerned only with such information as may be gathered from them in regard to the constitution or action of the governing body of the city.

We note then first that the description of the ordinary meetings is slightly varied, but apparently without denoting any real difference of character. Sometimes they are simply described as "Congregatio;" sometimes as "Congregatio communitatis," or "Congregatio civitatis;" the full title which occurs chiefly in the earlier entries being "Congregatio communitatis civitatis." The term "Communis Congregatio" occurs once in this first series of rolls (in 1369) but it is frequent in those that follow. On all these occasions the proceedings are so similar that it seems impossible to doubt that the variation of title is due mainly to the caprice of the scribe for the time being.

The main point to be observed is that in theory the "communitas" is still the sole recognised source of authority for deliberation, legislation, or government. If the Bailiffs to some extent stand apart by themselves it is simply as a necessary personal executive. Neither they nor any body of 24 are as yet in any sense a separate estate.

Besides the ordinary meetings thus variously described we find once a year a special meeting which on the first two occasions² is not described by any distinctive title at all, but on most other occasions is called "Magna congregatio civitatis."³ It is the meeting at which the Bailiffs for the ensuing year are elected,

¹ Nos. CLVIII. to CLXXIX.

² Nos. CLVIII. and CLXVII.

³ Nos. CLXXIV., CLXXIX., etc.

and it is held in the Chapel of the College of St. Mary in the Fields. That a "Great Assembly" was expected to be on a larger scale than an ordinary meeting is implied by its name, but it does not follow that it was open to a more extended constituency. This was plainly not the case. Thus, in 1365 the election of Bailiffs is recorded without a heading, and then follows a "*Congregatio¹ communitalis civitatis*" on the same day. The same term is also used of the succeeding ordinary meetings in that official year. At the next election of Bailiffs on September 13th, 1366, the very same title is used of that special meeting. The word "*magna*" is first used at the election on September 12th, 1367. It is plain, therefore, that all the meetings alike were open to the "community," and we shall see that the evidence is against any restriction or exclusion even at ordinary meetings prior to the civic reconstruction which commenced in 1404. A "Great Assembly" was, no doubt, so called because it was summoned by a more public proclamation, and because attendance was a matter of universal obligation as required by the important character of the proceedings.

7. *Twenty-Four Electors of Bailiffs.*

Our first record of such an assembly commences thus²: "Election of Bailiffs at Norwich in the 39th year of the reign of King Edward the third from the conquest on Sunday on the feast of the Exaltation of the Holy Cross [14 September, 1365]." Then follows this heading, "*Nomina iiij^{or} [sic] electorum vz. de qualibet leta,*" and then are entered 24 names, six for each leet. The first name in each set is written larger, perhaps because, as was not unusual in elections in later times, only one person was publicly elected in each case, and he then nominated five others to act with himself. Or, perhaps, "*iiij^{or}*" is an error for "*xxiiij^{or}*" which occurs on the other similar occasions in these rolls. After the names of the 24, who are marked as sworn, follows "*Ballivi electi per supradictos juratos pro anno futuro.*" A Bailiff is assigned to each leet, leading to the supposition that each set of six chose its bailiff for its own leet. We read, however, in 1369³ "The said 24 gave answer concerning the election as appears below, etc." When once elected, all the four Bailiffs as one body belonged to the whole city.

¹ No. CLIX.

² No. CLVIII.

³ No. CLXXIX.

How the election of the electors took place we are nowhere told. If we are right in our interpretation of the term "Great Assembly" we must suppose that their election was not distributed over several days (each leet coming on a separate day) as was the case with the election of Common Councillors at a later time, but that the citizens met early in the morning, those of each leet in a separate body, and by acclamation approved some name or names suggested to them. Or each leet may have been called separately into the chapel for the purpose. When the 24 were elected they would go apart to choose the four Bailiffs, and their combined answer would be brought to the then sitting Bailiffs in the chapel who would announce the result to the citizens there assembled. The crowd would then disperse, and those who remained would proceed to business, generally the admission of new citizens. The new Bailiffs did not enter on their office till Michaelmas, and their "Prima Congregatio" in these first rolls was not till October or even November.

From the account of the 24 and their action in 1365 we should naturally conclude that they were the successors of the bodies of 24 mentioned in 1344 to 1347. Yet we observe that although the Bailiffs in 1365 are said to be elected "for the ensuing year," that is not said of the 24. And in the other four years contained in this series they are thus described in almost identical words, "The names of 24 citizens sworn to elect four Bailiffs for the ensuing year." This in itself raises a doubt whether these "electors" could be intended to serve the same purpose as the sets of 24 appointed in 1344 to 1347 to undertake a general superintendence of civic business for a year, or whether they were not chosen solely for the purpose mentioned. There is one piece of evidence available which seems to show that the "electors" as a body had no special connection with the Assembly during the year of office of the Bailiffs whom they elected. On September 14th, 1366, the names of 24 electors are entered. On the following January 12th a disputed question arose in the Assembly and a formal decision on the subject was declared by the Bailiffs to the citizens then newly admitted. To emphasize the decision the names of all those present were entered¹ ("in eadem congregatione extiterunt"). There were 25 citizens present

¹ No. CLXIX. compared with No. CLXVII.

besides the four Bailiffs. Among these 25 occur the names of only five (or possibly six) of the electors of the previous September. It appears therefore that these 24 "electors" were neither a body of administrators for the year nor a select body specially bound to attend assemblies. Again, although in Chapters 46 and 47 of the Custumal the "24" are mentioned, yet in Chapter 50 the election of Bailiffs is attributed to "the appointed electors."

8. *A Standing Committee of Twenty-Four in the Assembly.*

In the year 1369 we come to an important Resolution of the Assembly which, though adding somewhat to our knowledge of the "24," is by no means free from obscurity. It occurs within the period of the first set of Assembly Rolls just commented on, and the actual assembly is mentioned,¹ but strangely enough the resolution is not entered in its place. It is quoted by Blomefield (III. 96) from the *Book of Customs*, and he puts it as though it was then agreed that a body of 24 should be chosen "by the bon-gents or commons of the city as common council to represent themselves in all assemblies." Hitherto it has been impossible to test this statement. Now that the long-lost book has been recovered we may do so, and it must be said that it scarcely bears out Blomefield's interpretation. It runs as follows²: "Firstly, at the Common Assembly held the Friday in the week of Pentecost in the 43rd year of our lord the King³ [Edward III.] it was accorded by the whole Community that the election of the Bailiffs should be made duly from year to year by the advice of the bon-gents and the better of the crafts of the said city.⁴ Also that the 24 for the assemblies⁵ for the whole year should be chosen in the same manner. Also that the Treasurers should be chosen in the same manner, and that they render their account, etc." There is nothing here about a "Common-Council to represent" the other citizens. And Blomefield has omitted the mention of "the better of the crafts."

It must be admitted that it is not easy to see what was being done. Apparently some change of procedure in the matter of the election of the Bailiffs and Twenty-Four was contemplated. But

¹ No. CLXXVII.

² Book of Customs, fol. 65 dors. The original is in French. The contemporary Assembly Rolls are in Latin.

³ 25 May, 1369, not 1368 as in Blomefield.

⁴ Par lavys des bones gentz et les mellours de mesters de la dite citee.

⁵ Les xxiiij^{or} pur les assemblez.

what was its nature? Who are the *bons-gents*? Blomefield suggests "the commons." But it generally is equivalent to "*probi homines*," the leading citizens. This would correspond to "the better," or leading members, of the crafts. But how was the election to be conducted "by their advice"? On 16 September following the "Great Assembly for electing Bailiffs" was held and was conducted by the 24 electors just as usual.¹ Can it be that the resolution never took effect, and for that reason was not entered in the proceedings of the Assembly? Was it an endeavour to restrict the elective franchise to a more limited number, as had been done in London 20 years before?² If so, it was anticipating the controversy of the next generation in a different form.

9. Of greater interest is the name here given to the Twenty-Four, "the 24 for the Assemblies." This must imply the previous existence of such a body. Whether it was the same as the 24 of 1344 to 1347, which had in the interval had this duty laid upon them, or a distinct body it is impossible, without more evidence, to decide. However that may be, we have evidence very shortly after this date of the existence of a body of 24 specially bound to attend assemblies.

After the first set of Assembly Rolls (1365 to 1369) there are preserved 6 separate Rolls between 1372 and 1385. They almost all cover one civic year beginning with a "*prima congregatio*," usually in October. On 7 October, 1372³ we have an entry to the following effect, "Also it is ordained that if any of the 24 elected citizens absent himself from every or any [*qualibet vel aliqua*] common assembly without reasonable cause, so that he excuse himself by his attorney during the assembly only, he shall be amerced 2s. And if any of the craftsmen so elected to be present at every [*cuilibet*] assembly shall have absented himself as above he shall be amerced 12d. And that half of such amercements be to the Bailiffs and half to the Community." The mention of elected craftsmen is curious. Perhaps "any" rather than "every" assembly was intended. In accordance with chapter 47 of the *Custumal* craftsmen were to be elected to assist in auditing the accounts, and we have an instance of this in No. CLXXXIII. (10 June, 1373). But there is no other evidence of any number of them being elected to attend all assemblies.

On 19 October, 1379,⁴ we find "It is agreed that the ancient

¹ No. CLXIX

² Norton *Commentaries*, etc., p. 115.

³ No. CLXXX.

⁴ No. CLXXXVII.

1. *Selected Records of the City of Norwich.*

penalty used for default at an assembly be levied from every one henceforth making default without reasonable cause." It will be noted that both these entries occur in connection with a "Prima Congregatio." It may have been a formal notice proclaimed at the commencement of each municipal year.

10. Although these "24 for the assemblies" are not actually mentioned by name in the meetings of the Assembly there can be little doubt that we can more than once detect their presence. Thus we take the Roll for the civic year which commenced at Michaelmas, 1377. The first entry is of the "Prima Congregatio" held on Friday after Michaelmas, 1 Richard II. (2 October, 1377). Then follow the names of certain persons present in this form, "William Asger, Henry Skye, William de Sporle . . . and others of the community being present." The number of persons specially entered is 15. Two of them are newly-elected Bailiffs on which an observation will be made presently. On December 9th was held an assembly at which were present the four Bailiffs, 17 citizens specially named and "others of the community." On December 15th the four Bailiffs were present and six citizens named, but "others of the community" is omitted. On January 4th, 1378, were present the four Bailiffs, 14 citizens named with two added afterwards and "others of the community." On January 7th were present the four Bailiffs, 13 persons named with one added and "others, etc." The Roll stops soon after this and no more attendances are recorded. Here we have five records of the attendances of citizens whose names for some reason are specially entered, besides the mention of others who are present without being specially named. If now we make out a list of those named we find that to the 15 present on October 2nd must be added 11 fresh names for December 9th, but after that only one other on January 4th. The rest are all the same names repeated. This makes 27 names. But if these are the names of the 24, those of the two Bailiffs entered on October 2nd must not be counted, for they would be replaced by two others. We therefore have 25 persons whose attendances are personally recorded, and it is scarcely to be called conjecture to assume that these are the "24" specially responsible for being present. We may even discover in making out the list that the names of attendants at successive meetings are mostly entered in the same comparative order, being evidently checked from the original list. The one extra person will cause no difficulty. It was not unusual in such

elections to choose some, in excess of the number required, to serve "in default of others." Or, if one of the original number died or was sent away on business another might be chosen.

A similar opportunity of obtaining information on this point is afforded by the Roll for the year commencing at Michaelmas, 1379. Five sets of attendances are recorded between October and July. The total number of separate persons named is exactly 24. The expression "and others of the community" is always added. Out of these 24, only four are not among the 25 of two years previous, and two of these four are the two who were entered amongst the others on October 2nd, 1377, though at the time they were Bailiffs. Practically, therefore, the 24 though elected annually became almost a permanent body.

II. From a consideration of the facts we have been considering we shall conclude that one main duty of the 24 was to form a quorum to ensure the due execution of public business, but also that they were not "representatives" to the exclusion of others. The "others of the community" described as present could not be elected craftsmen or their names would be given. It must mean that the rest of the community were not excluded because some were bound to come. Any of the others might come if they wished to do so and, so far as the records show, they had an equal voice with the 24 in the deliberations and decisions.

The Resolution¹ also mentions something of their administrative functions apart from the Assembly. Complaints had been made that "tallages, mises and common land" had been granted and the common seal attached to the grant by the 24 or the greater part of them "to the great disherison and oppression of the common people." It was agreed, therefore, that no such grants should henceforth be made except "by the grant of the 24 and the better of the crafts" as "is contained in the charter of our lord the King and his progenitors² and also in the book of customs (*la liuere des usages*)."³ Blomefield here takes "*les meillours de mesters*" to mean "the chief of the commons." His further statement that "no business of consequence shall be transacted without them and all business concerning the city shall be born at the city charge" is, in the original Resolution, "It was agreed by the whole Community that all great needs which touch the Community or which shall be done at the cost of the said Community, shall be done by the assent of the bon-gents and the better of the crafts."

¹ p. xlvihi.

² Perhaps the Charter of Edward I. (1305). No. X., p. 20.

With regard to this administrative authority of the 24 it is to be observed that we never find in the Assembly Rolls of this period any important business referred to the 24 as a body. Even in such a matter as consulting with the citizens appointed to go to Parliament 13 persons are elected¹ at the time to discuss with them the interests of the community. Doubtless on all such "committees" the names of the 24 constantly occur, but they are specially chosen in full assembly as individuals and in conjunction with others who are not of the 24.

12. *A chartered body of Twenty-Four.*

We may now leave the Assembly Rolls and consider a select body of 24, which we may or may not decide to be identical with one or another of those we have already had under review, but which was destined from this time to play a leading part in the municipal history of the city.

With the accession of King Richard II. in 1377, an entirely new municipal era may be said to have commenced in Norwich. To appreciate its significance we may consider certain changes which had taken place since the new departure in the time of Richard Spynk some 30 years before.

In reviewing the municipal constitution of the city at the close of the 13th century² we noted the existence of a well-marked leading class of citizens upon whom, though we could not find that they held any recognised official position, fell the burden of carrying on the administration of the city and the risk of being held personally responsible for the satisfaction of any demands, penalties or exactions laid upon the city by the Crown. As the 14th century advanced not only did the municipal and commercial business of the city become constantly more complicated, but the maintenance of internal order and discipline became more difficult. The sole authority on all matters continued to be the "communitas" which expressed its will through an ill-defined Assembly or maintained discipline and punished offences through the very inefficient medium of the annual Leet Courts. This vague kind of constitution lingered in Norwich to an unusually late date, perhaps because of its comparative isolation from the vortex of national affairs. But the want of more definite authority must have long been felt. We have seen that no slight advance had been made in the

¹ No. CLXXXIV.

² See *ante*, pp. xxxvi. to xxxviii.

earlier years of the reign of Edward III.; but it was nominally made in the direction of strengthening the "citizens," meaning, in that case, the whole community in their hold on the city as against outsiders. How far Richard Spynk and his fellow leading citizens endeavoured to turn it to their own advantage at that time it is impossible to say. Whatever their aim may have been it was checked for at least a generation by the Black Death. When, at the time of which we are now speaking, we find a ruling class acting with what we may call a *definite policy* we see at once that that policy has been influenced and its attainment brought much more within reach by the momentous course of events outside. It is only needful to briefly draw attention to them.

Apart from the Black Death two tendencies had been at work which would emphasize the right of the most substantial citizens to rule. One was the increase of capital accumulating in the hands of a few. The other was the substitution of a permanent magistracy in the country districts for police purposes in place of the old communal courts. Our subsidy and other account rolls give evidence¹ that the first tendency had been at work in Norwich. If the second had not yet found official recognition there it must at least have been an object of desire to those who would rightly have the working of it. This latter tendency was greatly accentuated by the legislation which followed the Black Death. The labour and other social laws then ordained required a personal magistracy of the upper classes to carry them out. Although this authority was not formally granted to Norwich till 1404, the "Communitas" in its Assembly seems to have assumed the right to confer it on its Bailiffs a generation before that time.²

But what was probably the most active influence in urging the leading citizens of Norwich to seek for more direct authority was the example and experience of the City of London. When two of their number returned from the Parliament held in 28 Edward III. (1354)³ they would bring intelligence of a stringent Act which was then passed dealing with the misgovernment of the City of London, laying upon the citizens a penalty of 1,000 marks for the first default of due remedy, 2,000 for the second, and forfeiture of liberties for the third. Enquiry as to the alleged

¹ As will be shown in Vol. II.

² A "Warrantum de Pace" was granted to the Bailiffs on their entrance on office. Assembly Roll 1377, 2 October; 1379, September 23; 1382, September 25. See Nos. CLXXXIV., CLXXXVI., CLXXXIX.

³ 28 E. III. ch. 9.

misgovernment was to be made by inquisitions taken from the adjoining counties. This ordinance was to extend to all cities and boroughs of the realm, the penalties to be adjudged at the discretion of the Justices thereto assigned. This very statute was appealed to with fatal effect 100 years later against the citizens of Norwich by their enemies.¹

13. In the first year of Richard II. (26 February, 1378), a Charter² was obtained which confirmed all the previous Charters from that of Richard I. downwards, adding in the King's own name the clause already appearing in the Charter of 33 Edward I., that non-user of any liberty should not be a bar to its revived use.

Just before the receipt of this Charter, on 1 February, 1378, the citizens had obtained from the King an exemplification of his last Charter to the citizens of London dated 4 December, 1377. This was a Charter of Confirmation reciting by Inspeximus a great many earlier Charters, including that of 15 Edward III., by which authority was vested in "the Mayor and Aldermen with the assent of the Commonalty" to provide a remedy where any custom hitherto used proved to be defective.³ The "citizens" of Norwich now petitioned the King to grant them this liberty.⁴ The language of this petition is well worthy of notice. They had been used, they say, to remedy defaults newly arising by making new ordinances amongst themselves for the common profit of all. Of late, however, many of the commonalty had been "very contrarious," and would continue to be so unless some remedy should be found. Their petition is that the "four Bailiffs and 24 citizens chosen each year by the community of the town" might have power to make and establish such ordinances and remedies for good government as might seem good to them, and to correct and mend them when necessary. They pray that this article and another relating to trade may be added to those granted in the King's first Parliament. The article, as asked for, was granted, in the words of the petition, by another Charter,⁵ which recites the whole of the Charter of

¹ See Nos. CCLXXXVIII. and XLVI.

² No. XV.

³ *Lib. Cust. Lond.*, p. 443.

⁴ Ancient Petition 892, No. XXXVIII. In the "Answer, etc." (No. XL. 3) the 24 deny that they knew of any such grant to London. Yet the petition is in substance the same as in the London Charter of 4 Dec., 1377, and the clause in the Norwich Charter of 1380 granting the petition is almost verbally identical with that of London.

⁵ No. XVI.

Confirmation granted two years before, and then in the King's name adds the two articles for which petition had been made. This Charter is dated 12 February, 1380.

The power which had been granted to the citizens of London seems to be understood as implying no more than the "ancient custom of the city to make bye-laws."¹ But plainly the "citizens" of Norwich who asked for it had a very definite intention as to its use. We notice that, whoever these petitioners may be, they make a sharp distinction between themselves and a mass of the "commonalty who are contrarious." Further they place themselves in the position occupied by the Aldermen of London, their four Bailiffs corresponding to the Mayor. And, lastly, they obtain an important alteration in the condition on which the desired authority was to be exercised. Whereas the London Charter had granted the power to "the Mayor and Aldermen with assent of the Commonalty," the Norwich Charter grants it to "the Bailiffs with assent of the 24 citizens elected by the Community." It is plain that the persons who here petition the King as his "humble lieges the citizens of Norwich" were solely the upper class from whom the Bailiffs and 24 were taken. Assuming that we are dealing with the "24" who sat in the Assembly, they now seem to be seeking to draw away into their own hands authority which they had hitherto shared with the whole community in the assembly. This hypothesis seems to explain how the "contrarious" conduct of the commonalty could hinder the good intentions of their proper leaders, viz., by packing the assembly. By thus dissociating themselves from the Assembly as the basis of their governing authority, the ruling class took a great step towards becoming a separate estate.

14 This ulterior purpose will appear more clearly if we consider here (by anticipation) an account of the origin and intention of this grant given in the next generation by the then 24 citizens.² After the substitution of a Mayor and two Sheriffs in place of the four Bailiffs in 1404 great disputes arose as to the mode of electing the new officials. The Mayor, Sheriffs, and 24 claimed the right for themselves, and appealed, amongst other things, to this particular grant. The "Commonalty" (clearly the mass of the citizens apart from the "men of estate") affirmed that the grant had been procured

¹ Norton *Commentaries*, etc., p. 365. Birch *Charters*, etc., pp. xxviii. and 70, calls the grant that of "legislation by Act of Common Council." Coke *Inst. IV.* 257, strangely says of the Norwich grant, "We have not found the like in any other city."

² See the two documents drawn up in 1414 and marked Nos. XXXIX. and XL.

privily without their assent and knowledge.¹ In reply the 24 make this statement.² Up to that time, they said, if any emergency arose, such as the sudden coming of a grandee of the Realm, they could not make needful arrangements unless the Bailiffs and everyone of the 24 were present together. If even one or two were absent they must wait for them. "Whereupon the more sufficient persons of estate in the said city, that is to say, Bartholomew Appleyard and others, with the assent of the Bailiffs and 24 aforesaid, and of the substance of the Commonalty of the said city, seeing the mischiefs sent Henry Lomynour and Walter Bixton then their concitizens to sue to the said late King to have confirmation of their charter of franchises to them aforegranted and to have as a new grant the aforesaid article, to the intent that the said Bailiffs with the assent of the said 24. or of the greater part of the said 24, not awaiting the presence of others absent, might have power to ordain convenient remedy," etc. In confirmation of this statement we find in the Assembly Rolls that on 15 December, 1377,³ the Assembly chose Bartholomew Appleyard and Walter Bixton to "go to London to sue for the confirmation of our charter and for other business touching the community at the cost of the community." Apparently they did not go at once, for on 4 January, 1378, the Treasurer was ordered to meet the expenses of Walter de Bixton and his fellows. On January 7th Walter de Bixton and Henry Lomynour were chosen to "go to London to sue for the confirmation of our charter of liberties and for an increase of liberties." It was ordered that twenty citizens should pay 40s. each to the Treasurer who should pay the £40 to the two delegates. This last must be the occasion referred to by the 24 in 1414. It is curious to compare their description of the authority which sent Bixton and Lomynour to the King with what we find recorded in the Assembly Roll. There were present the four Bailiffs, thirteen named citizens whom we have supposed to be members of the 24,⁴ and others of the community. One more named citizen is added in the margin. The respondents in 1414 seem to attribute their initiative to the men of estate outside the Assembly who went to the Assembly to obtain the "assent" of that body before carrying out their wish. It is significant also that the alleged restriction requiring all the 24 to be present on occasions such as those mentioned does not seem to

¹ No. XXXIX. 2.² No. XL. 2.³ No. CLXXXV.⁴ Bartholomew Appleyard is one of the thirteen, and so also is Henry Lomynour.

have applied to the 24 of the elected "quorum" in the Assemblies. On December 9th, previous to this assembly, forty marks had been granted by the "Communitas" in an assembly to be given to the Duke of Lancaster if he should come. Seventeen named citizens were then present besides "others of the community." Presumably the Assembly had been summoned for the purpose, for nothing else was done. This would surely be the natural course to take instead of trying to get every one of 24 special persons together in a hurry. The complaint about the restriction must imply that one or another might be ill or absent and unable to attend. We can hardly suppose that Bartholomew Appleyard and the other persons of estate formed another body of 24 outside the Assembly and bound by this restriction. It is plain that they needed the sanction of the Assembly to carry out their plan of increasing their powers, and that having obtained that sanction they used it to their own advantage as against the "commonalty." Their petition makes no mention of the restriction, which could only have been a very rare hindrance. It asks for general powers of administration, and the omission of the words "by assent of the commonalty" shows without doubt what was their real design. The municipal Assembly could not be dissociated from the Commonalty. So they desired administrative powers with which the Assembly could not interfere.

15. For the time, however, all this was hidden from the Commonalty. To all appearance things went on as before in the Assembly. The rolls for three years between 1381 and 1386 are preserved, and they correspond in all respects with those we have reviewed before the grant was made. No mention is made of any independent action on the part of the 24. On occasions the names of certain persons present are recorded, and so also is the presence of "others." Important business of all kinds is still committed to persons specially appointed at the time.

Nearly the whole of this reign was taken up with an extensive re-organisation of the city trade, as set forth in the *City Domesday Book* compiled towards the end of it (between 1394 and 1397).¹ Blomefield² connects this re-organisation immediately with the powers obtained through the petition of 1378. But this must be an error. The Charter which followed the petition was not dated till February, 1380, whereas the warrant, by virtue of which the trade revolution was effected, is dated 27 Nov., 1378.³ Moreover, the

¹ Chamberlains' Rolls, 18-19, and 21-22, R. II.

² III., p 103.

³ *Norwich City Domesday Book*, fol. 23.

warrant was granted not by the King but by the Assembly, and the powers of execution were not made in favour of the 24, but were granted to sixteen citizens specially named. The great object in view was to stifle and prohibit private trade¹ in certain goods, and draw it all to stathes and stalls belonging to the commonalty, thus largely increasing the municipal income at the expense of private persons. Still, inasmuch as municipal control was rapidly falling into the hands of the leading class, this centralisation and municipalisation of trade indirectly added to their power.

One sign of the times must not be passed over. When Henry IV.'s Charter in 1404 altered the whole constitution of the city, it is distinctly stated that the official title of the constitution which was superseded was "The Bailiffs, Citizens and Commonalty." The word "Citizens" was retained in the title of the new corporation, and evidence will be given to show that it there represented the prudhommes from whom the "24 Citizens" were taken, and afterwards the 24 "Aldermen" who were their successors. If this view is accepted it would follow that the compilers of Henry's Charter recognised the 24 citizens as being even before that Charter in some sense a distinct official body from the rest of the Community. The only sense in which such a position could be accorded to them was that of a Council of Assistants to the Bailiffs, forming with them an administrative body having an authority outside that of the communal Assembly, conferred upon them by the Charter of 1380. This view of the case was not yet realised by the commonalty who still elected them as a mere portion of the Assembly.

That an important revolution in the government of the city had already commenced will appear from a consideration of the great changes next to be recorded.

V.—The City made into a County: a permanent Magistracy with a representative Common Council, 1404—1426.

1. *County Organisation. New Municipal Constitution, 1404—1425.*

For information as to the events which immediately preceded

¹ Part of the petition was for power to prohibit strangers from carrying on retail trade.

the important civic changes of 1404 we have to rely almost entirely upon Blomefield's History. Our Assembly Rolls fail us from 1386 to 1413. Blomefield, however, quotes several which were surviving in his day. His first reference to the matter is an interesting one under the year 1398.¹ The King (Richard II.), he says, was expected in Norwich. A tax, therefore, was laid to make him a suitable present, and it was ordered that all citizens according to their rank should arrange to meet him with due honour. Upon this, he observes "There were elected as adjutants to the Bailiffs to manage the procession Robert Dunston, Richard Baas and Thomas Fyncham for the *court* and three others for the *commons*; and this is the first distinction that I find made between the *court* and the *commons*, which is not to be wondered at, it appearing that they now designed to make a push for a Mayor, etc., and the present was designed to oblige the King in order to obtain their request." By the "court" here can only be meant either the Twenty-Four or the men of substantial estate. At a later time the word was used of the Aldermen as a magisterial body, so it is probably intended here for the Twenty-Four in their capacity of an administrative body under the powers of the Charter of 1380.²

On the following "New Year's Day"³ 16 citizens and two Bailiffs were chosen by the Assembly to consider of the manner and way to apply for a Mayor "for the state of the city." But the King did not come, and their friend at court, the Duke of Lancaster, died soon after. According to Blomefield the citizens looked upon King Richard as having refused to grant their request, and thereupon they openly espoused the cause of Henry, the late Duke's son. They wrote to him and sent up their Bailiffs, nominally to answer a charge of illegal arrest, but in reality to confer with Henry. In return for their support he promised to assist them in getting their desired charter, and this promise he fulfilled shortly afterwards when he became King Henry IV.

In the first year of his reign (5 February, 1400), he granted the citizens a Charter of Confirmation⁴ reciting by Inspeximus the Charter of 3 Richard II. with all its included charters. A delay

¹ *Hist. Norf.* III. 114.

² Can Blomefield really have seen the word used at this time for a select governing body?

³ That is January 1st. See *Norf. Arch.* XV. 144, where John Boys in his journal, after mentioning a Saturday, 1428, as Christmas Day, calls the following Saturday "new yere day."

⁴ No. XVII.

of two years and more took place before they could proceed with their further purpose. Blomefield¹ attributes this to opposition on the part of Henry Spencer Bishop of Norwich, who had relieved the city from a great peril by crushing Litester's rebellion in 1381. Since then he had been suspected of treason against Henry and the city had sided against him. He justified himself to the King and took his revenge on the citizens by opposing their wishes. At length, in the course of the year 1402, they succeeded in making their way so smooth at court, especially by lending the King 1000 marks, "that it was signified to them that they might frame a charter as large and ample as they could devise and it should be passed, upon which it was resolved in assembly that the bailiffs and citizens should take the best advice they could in drawing the charter at the common expense, and then William de Crakeford, Robert Baas and John Clerk were sent backward and forward to and from London concerning it, etc." This statement that the citizens drew the charter for themselves is interesting. No doubt they took advice as to the scope and limits of their requests and a certain amount of common form was introduced by the official clerks. But the special details were their own. We shall see this even more clearly in the case of the supplementary and explanatory Charter of King Henry V. in 1417.

2. *Charter of King Henry IV. Substitution of a Mayor and two Sheriffs for the four Bailiffs.*

The Charter is dated 28 January 5 Hen. IV. (1404). It marks an epoch in the municipal history of Norwich such as had not occurred since the Charter of Richard I. in 1194. It did not, indeed, effect a revolution all at once. The change of government which it inaugurated did not settle into a definite form till 1415 and, in some important ways, it did not fall into its permanent shape till past the middle of the century. But it formed the first step in the development by which the citizens of Norwich passed from the condition of a self-governing community, each member of which had theoretically an equal voice in the government and administration, into that of a community under the control of a (practically) permanent magistracy combined for legislative purposes with a limited number of elected representatives.

The Charter² begins by granting that the City of Norwich

¹ *Hist.* III. 118.

² No XVIII.

shall in future be separated from the County of Norfolk and be called the County of the City of Norwich. The "Citizens and Commonalty" (under which title the recipients of the grants are described throughout the charter) are next empowered to choose one of themselves annually as Mayor, which official by virtue of his office should be the King's Escheator.¹ To adapt themselves to their county constitution they are to do away with the office of the four Bailiffs and in their place to choose two Sheriffs who should hold their County Courts and also in conjunction with the Mayor exercise the jurisdiction hitherto exercised by the Bailiffs. The magisterial authority of the Mayor is emphasized by the right to have a sword carried erect before him in the presence of anyone except the reigning Sovereign,² and the sergeants of the Mayor and Sheriffs may bear gilt maces adorned with the royal arms. Furthermore, the Citizens and Commonalty may, through the Mayor and four "Probi Homines," hear and determine all complaints, etc., belonging to the office of Justice of the Peace of Labourers and Artificers, as the Justices of the Peace in the County of Norfolk do. The Charter concludes with the proviso that the necessary change of title of the municipal body shall not be to the damage of the city. The change is thus described. The existing title to be disused is given as "The Bailiffs, Citizens, and Commonalty of the City of Norwich." The title to be substituted in its place is "The Mayor, Sheriffs, Citizens, and Commonalty of the City of Norwich."

It is manifest that the powers obtained by this Charter were chiefly sought for in order to strengthen the position of the governing body. The County constitution, in the acquisition of which Norwich had already been preceded by three other towns besides London,³ would not only still further exclude external interference, but would bring with it more extended jurisdiction especially in the authority attached to the office of Justice of the Peace.⁴ It was supposed also, as we shall see from what subsequently happened, to include an extension of boundaries or, at least, of jurisdiction over the surrounding districts. The appointment of

¹ The official who collected the King's dues or forfeits which frequently fell to him.

² The King himself gave the City a sword.

³ Bristol 1373, York 1397, Newcastle 1400. London had possessed a County organisation since the grant of the County of Middlesex to the citizens by Henry I.

⁴ The four Justices appointed by the Mayor are described as belonging to the *County* of the City (p. 301, note 3).

a Mayor would also be desired for the same reason of strengthening authority. The office had by this time, through the example of London, come to be the embodiment of magisterial authority derived from the King, as evidenced by the drawn sword and the maces bearing the royal arms. Hitherto the Bailiffs, as chief citizens, had exercised an authority delegated to them by the community, though that did not prevent their powers from being in actual fact as large as they could have been if the headship of the city had been vested in a Mayor.

3. It may seem, perhaps, that this view of the Charter is contrary to the terms in which it is expressed. The various privileges are conferred on the "Citizens and Commonalty." This title needs explanation. But before considering our principal evidence on this point, it will be better to relate, as far as we are able, how the citizens proceeded to carry out the change. The actual sequence of events is not quite correctly given by Blomefield.

The Charter was dated 28 January, 1404. According to the "Mayor's Book"¹ William Appleyard was chosen first Mayor, and Robert Brasyer and John Dannard, two of the then Bailiffs, were chosen as the first Sheriffs on 1st March. The contemporary Court Roll speaks of the two Sheriffs as holding office from the feast of St. Gregory the Pope (12 March).² Blomefield³ proceeds to say that in the course of this year (1404) a resolution of the Assembly created a body of 80 citizens to sit at all common assemblies by themselves, and at the annual election of Sheriffs they were to name three persons of whom the Mayor should choose one and the "probi homines" another. He adds that 20 citizens were also chosen to "agree upon and settle all the articles and ordinances made by the court, or chief men of the city, in relation to the election and oath of the Mayor and good government of the city." As Blomefield gives correctly the names of the Sheriffs (for Michaelmas, 1404) thus chosen, it must be presumed that he is quoting from an Assembly Roll, though he gives no reference to it, and none such is now existing. The loss of the Assembly Rolls at this time is unfortunate in regard to the election of the first few Mayors, and also the origin of a Common Council. The Assembly referred to seems to have had chiefly in view the coming election of Sheriffs. These officials, being the special successors of the four Bailiffs

¹ A book compiled in the time of Queen Elizabeth, containing a list of Officials from 1286, with marginal memoranda.

² See Note A. at the close of this section.

³ *Hist. III.*, 123.

and inheriting their financial obligations to the King, would exercise their office as the Bailiffs had done from Michaelmas to Michaelmas. The four Bailiffs had been elected on or about Holy Cross Day (14th Sept.) by a body of 24 electors representing the four Leets of the city. This number was now enlarged to 80, but they were made nominators not electors in the election of the two Sheriffs.¹ At the same time, no doubt in imitation of London, they seem to have designed to make these 80 into a representative Common Council. They can hardly have intended in addition to preserve to every citizen the right to attend assemblies if they chose. As to the election of the Mayor, it seems that the "court," as Blomefield again calls the chief men of the city, had proposed certain ordinances which were to be considered by the 20 elected citizens. Under the date 1408 Blomefield again refers to the action of the "80." In that year he says²: "On the third Sunday after Easter, on which day the Mayors were then usually chosen, according to the custom of the city, the 80 named Roger Blickling and Edmund Warner, and notified their nomination by the coroners and town clerk to the chief men or 24 of the Mayor's counsel, and they appointed Edmund Warner Mayor for this year."

4. In connection with this statement we must here refer to two documents already quoted in regard to the Charter of 1380 and the powers granted to the Twenty-Four. In working out their new constitution the citizens, it seems, were divided into two parties, on the one hand the chief men, or "men of estate,"³ and on the other the "commons." After much controversy they agreed soon after 3rd April, 1414, to submit their differences to the arbitration of Sir Thomas Erpingham. Thereupon the "Commons" formulated their grievances in a petition headed "The complaints on the part of the major part of the Citizens and Commonalty of Norwich against those who are called the more venerable citizens of the said city."⁴ The reply purports to be the "Answers of the Sheriffs and 24 prudhommes of the City of Norwich of old time ordained for the good governance thereof and of others as well as those who have borne the estate of Mayor, Sheriffs and Bailiffs of

¹ In London at this time, to avoid tumultuous gatherings at elections of Mayor and Sheriffs, the Mayor and Aldermen summoned certain persons from each Ward to act as nominators. The Commons had claimed the sole election.—*Lib. Alb. Lond.*, 19, 20.

² *Hist. III.*, 124.

³ They are nowhere called "the court."

⁴ No. XXXIX.

the said city as other sufficient persons of the Commonalty of the said city touching the articles of complaints of certain persons of the Commonalty of the aforesaid city, etc.”¹ The two statements, coming from the parties themselves, are of great interest, and throw no little light on the political ends which the respondents had in view. We will notice here only so much as belongs to our present subject.

The Complainants begin by referring to the grant of 1380 already commented on. They declare (somewhat strangely) that it was procured privily and without assent of the Commonalty, who were not aware of it until of late they had a Mayor. They complain further that the power to provide remedies, etc., is granted without the addition of the words “by the assent of the Commonalty” as in the similar grant to the Mayor and Aldermen of the City of London. Then they complain that, whereas King Henry IV. granted to the “citizens and commonalty” to choose a Mayor and two Sheriffs, the said “prudhommes called the men of estate of the city” had disturbed the “greater part of the citizens and commonalty” of their election. In particular, they charge against them that whereas the commonalty in 7 Henry IV. (1406) had chosen William Appleyard for their Mayor the said prudhommes about three weeks before the end of the said year,² forcibly deposed William, and took away his sword of office and made Walter Danyel Mayor, and they continued the said estate to him through the eighth year. So they had done each year since that time.

In reply to these charges the chief men³ make the statement about the procuring of the grant of 1380 referred to above,⁴ and whereas the commons had insisted upon the assent of the Commonalty being necessary, the chief men retaliate by beseeching Sir Thomas Erpingham to use his influence with the King to amend the Charter of his father King Henry IV., and regrant it to the “citizens” only so that the word “commonalty might be altogether removed, and the complainants might never be parties or privy to any governance within the city by force of the said charter.” As to the election of Mayor they say that whereas the Charter made the

¹ No. XL.

² Henry's regnal year ended on Sept. 29th, only one day after the Sheriffs' year. The meeting of the prudhommes would therefore be about the same time as the election of Sheriffs.

³ They had also sent in their own complaints, which are not preserved.

⁴ Introd. IV., 14.

grant to the "citizens and commonalty," the Commonalty alone chose William Appleyard twice and continued him in office for two years contrary to the custom of the city. The Respondents therefore desired to conduct the election according to ancient form, and in approval of their action William Appleyard had himself taken Walter Danyel by the hand and brought him before all the prudhommes in the presence of the Commonalty.

These statements about the election of the Mayor are not easy to explain. William Appleyard is entered in the Mayor's book as being elected Mayor for the first time in 1403 (that is March, 1404, n.s.), for the second in 1404, and for a third time in 1405. Walter Danyel is assigned to 1406. When was William Appleyard twice elected by the Commons alone? If he was re-elected in 1404, it could only have been at Michaelmas of that year, the intention at that time being to make the Mayoral year correspond with that of the Sheriffs. In this case his second election by the Commons would be at Michaelmas, 1405. This is corroborated by the statement of the Respondents that in 1406 Walter Danyel was (to carry out their purpose) put into office "a full three weeks before the accustomed time." What happened in 1406 seems to be this. About 8 September the Commons met and elected William Appleyard to be once more Mayor for the next year. The prudhommes, however, relying on the Charter of 1380, elected Walter Danyel. They obtained a writ of *Dedimus Potestatem* addressed to the Archdeacon of Norwich, by whom he was at once sworn into office. William Appleyard supported his brother prudhommes, led his successor to the bench, and sat down with him. The sword of office was sent for by the outgoing Mayor and given to Walter, and William voluntarily retired from the Mayoralty. As he ought to have sat for three weeks longer, the Commons represented this as deposing him and taking away his official sword. About the election of John Danyel in 1407¹ nothing is known. In 1408, according to Blomefield's precise statement, Edmund Warner was one of two nominated by the 80 commoners, and was chosen by the Twenty-Four. This seems a peaceable and formal proceeding. Yet the Commons complain in 1414 that the prudhommes had disturbed them of their election, not only in 1406 but "in each year since that time." Perhaps they claimed the election as well as the nomination.²

¹ Blomefield gives these two names in wrong order. ² See above, p. lxiii. n. 1.

Why the day of election should have been changed to the third Monday after Easter is not apparent. The change is rather to be considered as from Michaelmas to Trinity, the time of the Mayor entering on his office.¹ A liberal interval of five weeks (or afterwards at least three or four) was allowed for the newly-elect to arrange his affairs.² Almost immediately after this, in 1415, the election was fixed to take place on 1 May, and so it continued till 1835.

A more important question arises out of these two documents. Do they help to explain the term "Citizens and Commonalty" as used in King Henry's Charter? We have already³ seen reason to think that by the word "citizens" in the charter was meant the leading or ruling class, called in these documents "men of estate." This view is clearly corroborated here, for it is evident that the Respondents in this dispute understood the word as specially applying to themselves. They wanted the word "Commonalty" removed from the charter so that the government of the city might remain in the hands of the "Citizens," *i.e.*, in their own hands under the charter of 1380. It is not quite clear, however, in what way they intended to exercise their rule, whether through the Assembly or not. The evidence would seem to show that they wanted to over-ride the Assembly. When they say that Appleyard was twice elected Mayor by the "Commonalty alone" they must be speaking of a "Great Assembly" such as had chosen the electors of the Bailiffs. They speak also of a "treaty and accord sealed with the common seal" (evidently done in an Assembly) as being the work of the Complainants without the assent of the Respondents. On the other hand, their own election of Walter Danyel was plainly not made in the Assembly. It would appear, therefore, that they were claiming a magisterial authority outside the deliberative Assembly, and that they rested their claim on the word "Cives" as describing themselves apart from the rest of the "Communitas."⁴

5. *Establishment of a Common Council.*

On 20 March, 1413, King Henry IV. died. The first few years of the reign of Henry V. proved to be of great importance in the

¹ See extract from Court Roll of 3 H.V. (1415) in note A at the close of this section, and also No. CCXLVI. (1424).

² The contemporary Mayor of London had only a space of a fortnight, from St. Edward's Day, 13 October, to St. Simon and St. Jude, 28 October, *Lib. Alb. Lond.*, p. 31. ³ *Introd. IV.*, 15.

⁴ See further Note B at the end of this Section.

city's municipal development. An Assembly Roll for the year commencing Michaelmas, 1413, has survived, and contains matter of the greatest interest which Blomefield has altogether passed over. On 22 December, at a Great Assembly¹ held in the Gildhall, it was agreed that the Mayor and Sheriffs and the 24 should choose four "probi homines," and the commonalty should choose four more for the election of Mayor and Sheriffs. This could not have referred to any approaching election, at least of Sheriffs, for they were always chosen shortly before Michaelmas. On 5 February following (1414) another Great Assembly² was held, at which the names of those present are recorded. First come the Mayor and the two Sheriffs, and then 14 names followed by a gap of one line. Presumably these were members of the 24. Then follow 156 names without any explanation. We may suppose that these were citizens of both parties. An ordinance in several sections was then passed:— (1) The Mayor with his council on every third Monday after Easter at the Gildhall should choose one of the "more sufficient of the commonalty" from each leet, or four from the four leets. These four should be sworn to choose 80 persons of the "more sufficient of the commonalty," or 20 from each leet including themselves. Then the 80 were to choose two persons who had served as Mayor, Sheriff, or Bailiff, and present them in a separate room to the Mayor, Sheriffs, and 24 probi homines, who should then elect one to be Mayor. (2) On Monday after the Feast of the Nativity of the Blessed Mary (September 8th), the Mayor, Sheriffs and 24 should choose one sufficient person, and the 80 another to serve as Sheriffs for the ensuing year. (3) A common assembly should contain the Mayor, Sheriffs, the 24, the Coroners, Supervisors, Treasurers, Clavers, all kinds of Constables, and 80 of the more sufficient of the commonalty chosen from the leets as in the election of the Mayor. (4) This ordinance should be engrossed under the common seal and the seal of the office of Mayor. (5) The 80 on the day of the election of the Mayor should choose 24 of those who had been Mayors, Sheriffs, or Bailiffs, to be of the Mayor's Council for the ensuing year. (6) Eight persons were specially chosen to be present and arrange for the making of this ordinance, so that it be enacted, etc. Four days later, on 9 February, at another assembly, the "ordinance of the aforesaid schedule was sealed with the common seal, which was replaced in the Clavers' chest."

¹ No. CXCII.

² No. CXCIII.

We may here note that April 3rd following these assemblies was the day named in the "Complaints" as the day up to which the disputes were to be submitted to Sir T. Erpingham.¹ The Complainants there state that in a certain treaty made amongst them by certain persons elected upon divers matters the disputed words "by assent of the commonalty" had been added "as in a writing² on the said treaty made and engrossed under the common seal and the seal of the mayoralty is fully contained." To this the Respondents reply³ that they know no such accord, and that the Complainants had long had by force the guard and governance of the seal of the city. The "treaty" may have been quite distinct from the ordinance just described ; but no body except the Assembly had the custody of the common seal, and, whatever the treaty was, the Assembly must have sanctioned its engrossing and sealing. As many of the Respondents must have been *ex-officio* members of the Assembly, it seems impossible to justify their reply on this point.

In accordance with the ordinance a Great Assembly⁴ met on the next third Monday after Easter (30 April, 1414) and elected a Mayor in the form arranged. Instead, however, of 20 persons being chosen for each leet, 14 are named for Conesford, 23 for Mancroft, 29 for Wymer, and 14 for Ultra Aquam.

6. *The Composition of 1415.*

By the foregoing resolutions a considerable approach had been made towards the formation of a representative Assembly. The Award of Sir Thomas Erpingham, the terms of which are not known, must have given a general approval to the above ordinances. On 14 February in the following year (1415) a Composition⁵ was entered into between the disputing parties, of which the original and more than one copy are preserved among the city muniments. It is an English document in the quaint style of the period. It is of great length, and enters most minutely into every detail of every department of administration on which it touches. Only its principal directions can be mentioned here. It may be said, on the whole, so far as it relates to the government of the city, to be an amplification of the ordinances already passed by the Assembly.

(1) It begins with directions as to the election of a Mayor,

¹ No. XXXIX. 1.

² *Ibm.* 2.

³ No. XL. 4.

⁴ No. CXCv.

⁵ No. XLI.

which is to be on the feast of St. Philip and St. James (May 1st). (2) Then follow rules as to the election of Sheriffs on the Nativity of the Blessed Virgin (September 8th). In both cases the method already in action was to be continued. (3) Then comes the election of the 24, who are to be chosen by the electors of each Ward on the same day as they choose the Common Council. But here a new principle is introduced. The Mayor is to tell the electors that although by Charter they might choose 24 concitizens annually, it had been agreed by composition that the names of the existing 24 should be read, and that they should "stand perpetually" as in London, and be removable only for reasonable cause. (4) Next comes the election of the Common Council. The number is changed from 80 to 60. The election is to begin on the Monday after Passion Sunday.¹ On that day 12 Councillors are to be chosen for the Ward of Conesford; on Tuesday 16 for Mancroft Ward; on Wednesday 20 for Wymer Ward; and on Thursday 12 for the Ward over the water. Furthermore, these Councillors, though chosen by the electors of a whole Ward, were distributed in unequal proportions among the sub-divisions formerly mentioned as subleets. These sub-divisions are not here called by any distinctive title, only Conesford, Berstrete, St. Peter's, etc.

With regard to government, it is agreed that the 24 may enact nothing binding on the city without assent of the commonalty, to which end the former Article shall be amended as in London. All the ordinances passed by the Mayor and 24 shall be declared by the Recorder or his deputy to the 60, who may demand time for deliberation before granting assent.

7. *Charter of King Henry V.*

Blomefield² says that this Composition did not satisfy the Commons, who thereupon made their "Complaints" (as commented on already) to Sir Thomas Erpingham and elicited the "Answer" from the Mayor, Sheriffs and Twenty-Four. But he is manifestly wrong in this. Not only does the reference to Sir Thomas limit the mention of disputes as up to 3 April, 1414, many months before the Composition, but that agreement deals specifically with more than one of the alleged grievances, as the question of "assent of the commonalty," and the prohibition of the Recorder, who sat as the Mayor's Assessor, from acting

¹ The 5th Sunday in Lent.

² *Hist.* III., 131.

also as Judge in the Sheriffs' court. There is no evidence of any further disputing, though a delay of two years took place before the royal sanction was obtained—a delay which may be accounted for by the absence of the King and Sir T. Erpingham during part of the time fighting in France. On 26 April, 1417, the King addressed a mandate¹ to the Mayor, Sheriffs, and Probi Homines, and also to the Commonalty of Norwich, and, having, as he said, heard of their dissensions arising out of certain articles in his Father's Charter, he ordered each party to choose two sufficient men and send them to him. This they did, and we may presume that the delegates carried the Composition with them for the King's approval. On 21 July the King granted a Charter.² In this he recites and confirms the two previous Charters of 1 and 5 Henry IV., and then in his own name, and without reference to the Composition, sanctions its enactments almost word for word, so far as relates to the constitution and government of the city. The most noticeable alteration is in the name of the 24. Instead of being any longer called the "24 Concitizens" they are to be called the "24 Aldermen³ of the City of Norwich," and "each of them shall continue in that state and degree during their lives, unless any reasonable cause for removal should occur."

One other document may be here mentioned in connection with these changes. In December, 1424, a Tripartite Indenture⁴ was entered into between the Mayor, Sheriffs, and Aldermen which was afterwards ratified in a Common Assembly by the Mayor and the Commonalty, and finally confirmed by Royal Letters Patent in 1429 (8 H. VI.).⁵ It relates entirely to the right conduct of the Aldermen towards the Mayor and towards each other. "The Mayor and Aldermen desire to give good example to the Commons of the City of good and quietable governance among themselves." The Aldermen, therefore, bind themselves by various obligations to obey the Mayor, to attend his summonses, to give him good counsel, and in all ways to support him. So also they bind themselves to support their fellow Aldermen, and in no way to take any part against each

¹ *City Domesday*, fol. 59.

² No. XIX.

³ It may be surmised that the ruling class had asked for this change of name to make the "24" more like the Aldermen of London.

⁴ No. XLII.

⁵ Blomefield III., 137, erroneously says "8 H. VII., 1492." It is enrolled on the Patent Roll of 8 H. VI.

other. This Indenture was signed on 6 December, 1424, by the Mayor, the Sheriffs, and 23¹ Aldermen. On 15 December it was ratified by the Mayor and the whole Commonalty (*integra communitas*). The Indenture makes no mention of the Commonalty nor of any duty of the Mayor towards the Aldermen. Its object seems to have been to guard against rebellious or partisan spirit in the ruling body, and its ratification by the Commonalty would bind them to support the Mayor in repressing any such manifestations. It lamentably failed to effect its object within the lifetime of many of those who signed it.

8. *The new Constitution. The Aldermen and the Commonalty.*

We may take this opportunity of considering the nature of the revolution which had now taken place. Its main feature was the transference of the source of authority from one centre to another or, more correctly, from the whole body to a part. Hitherto the fount of all authority (except some police and jurisdictional authority derived by the Bailiffs from the King) had been the "communitas," the whole body of equal citizens. Now two Estates are officially distinguished, "*cives et communitas*." And of these two Estates authority belongs to the former and not to the latter. Only in the matter of deliberation in a Common Assembly do they meet on the old terms of equality. Even there this is hardly true. The mass of the citizens are no longer admitted but have delegated their interests to 60 representatives who are bound to be men of sufficient substance. And when a resolution affecting the administration of the city is made in the Assembly we do not read as before that "it was decided by the whole Community." On 3 April, 1421, an order was made about fullers and weavers. Whether it was there discussed or only laid before the Assembly does not appear, but the order is thus commenced,² "Whereas we, the Mayor, Sheriffs and Aldermen with assent of the Commonalty of Norwich for certain causes moving us have ordained, etc." In the matter of authority, as this entry shows, this new Estate is recognised as having power to order, while the Commonalty is satisfied to give or withhold assent.

So far as we can judge from the evidence of our records there was no desire on the part of the commonalty for more than this

¹ The Mayor would be the 24th.

² Assembly Roll, Th. bef. S. Ambrose, Bp., 8 Hen. V.

power of assent. They had all along claimed it as their right, and had recently protested successfully against its secretly contrived abolition. But the mass of them were certainly still content to let the burden of government rest on the shoulders of their wealthier neighbours.

The "Cives" who are thus distinguished from the "Communitas" were when they acted together (as in the election of one of the Sheriffs), the Mayor, Sheriffs and Aldermen. But, as we have seen, in the official title of the corporate body the Mayor and Sheriffs are specially named, leaving the term "Cives" to describe the Aldermen alone. Whether or not the word was intended in the Charter of Henry IV. to describe more than the "24 Citizens," at all events after the introduction of the name "Aldermen," the two words are frequently interchanged. Thus, on 15 September, 1422, at an Assembly, it was ordered that the common market for butchers, fishmongers and such like be no longer held on Sundays "so far as it belongs to the Mayor, Sheriffs, Aldermen and Commonalty." This is plainly the official title with "Aldermen" substituted for "Citizens."

As we go further we may see that in practice the word "Commonalty" in the official title when used in connection with some definite act may be taken to mean the "60 of the Common Council." This expression "Common Council" at the period with which we are dealing seems to be used chiefly in connection with the 60 who were chosen to represent the Commonalty apart from the Aldermen. The Aldermen were described as "de consilio Maioris," or the "Mayor's Counsel."¹ The "60" are at first said to be "of the Common Counsel," as in 1425 "unus ex lx personis de communi consilio."² But in the 1st Assembly Book a little later a somewhat cumbrous description is constantly used. The 60 are spoken of as "Cives electi pro communitate et communi consilio Civitatis."³ This may mean "for common counsel with the Aldermen," and may be intended to adapt an old description to new circumstances. Hitherto the "24 citizens" had been described as "pro communitate electi." The description now applied more correctly to the 60 and "communi consilio civitatis" is added to denote the official position to which they were elected. Some further remarks on this matter will be found at the end of this section.⁴

¹ No XLI. 3 (p. 97).² No. CCV.³ No. CCX. (1437).⁴ Note C.

9. The name and idea of a "Commune Consilium," or a limited body of representatives to take the place of the whole body of citizens in a common Assembly, were no doubt borrowed from London. It is, indeed, plain that the whole remodelling of the civic constitution throughout this epoch was based on the example of London. Reference is frequently made in the Charters and the Composition of 1415 to London practice. London names, till then new to Norwich, are adopted. The "24 Citizens" take the name of "Aldermen"; the "Tolhouse" is called "the Gildhall"; the old "Leets" are styled "Wards." It is all the more important to notice a very material difference between the practice of London and Norwich which was never entirely abolished. This was the relation of the Aldermen and the Wards and, to some extent, also the relation of the Wards to the Common Council.

Until 1415 the Twenty-Four were still elected annually to give counsel to the Mayor as they had done to the Bailiffs. The increased authority which they claimed under the Charter of 1380 was disputed by the rest of the Community. Even after they were called Aldermen they were still elected, as before, six for each Great Ward. Their want of special connection with the subleets or small wards is evident, because as we see in the Composition of 1415 the new-modelled constitution of the city, including the Common Council, was based on the then existing system of only 10 subleets, a number inconsistent with that of the 24 Aldermen.¹ There was thus this great difference between Norwich and London. In London there were 24 Wards in each of which an Alderman presided in his own Wardmote. There was no attempt at this time to imitate this in Norwich.²

In the election of Common Councillors a partial attempt was made to copy London, where, since 1384, 96 Common Councillors had been assigned to 24 wards, unequally according to their respective size. The 80 citizens of Norwich already mentioned were at first (nominally) divided 20 to each great ward. After 1415 the 60 were unequally divided between the four Great Wards and in each such ward some were assigned to its subdivisions, still numbering only 10. These subdivisions had long been separate Constabularies and it was out of that status that they developed

¹ No. XLI. 4, p. 99, note 3.

² Compare the oath of a Norwich Alderman in 1424 (No. XLII. p. 112) reciting his duty towards the Mayor and his brethren with that of an Alderman of London (*Lib. Alb. Lond.* 307) reciting his duty towards his ward.

into Aldermanries after the middle of the fifteenth century as will be then noticed.

10. *Two prominent Societies.*

Before closing the account of this period of our municipal history we must notice two associations which were connected with the civic life of the city. The first is a somewhat obscure association called the "Bacheleria" or "Le Bachery." It is mentioned in the "Complaints of the Commons,"¹ in the dispute called "Gladman's Insurrection"² about 1443, and in the early Books of the Gild of St George till about 1436. In the second of these cases it is merely complained of as an unauthorised gild called "Le Bachery." The members are said to wear a livery, and are accused of making daily riots and holding assemblies under pretence of devotion or mutual benefit. In defence it was stated that it was a devotional gild which worshipped in the Chapel of St. Mary in the Fields and had done so immemorially. The earlier mention is much more definite. One of the complaints of the Commons is that in disturbing their due election of a Mayor, the Mayor, Sheriffs and "prudhommes" are aided by the "maintenance" of certain people in the said city of citizens and commonalty called 'la bachelery,' who are sworn and inter-allied by their oath to the said prudhommes to stand together in all their quarrels, by reason of which oaths and inter-alliances the said great part of the citizens and commonalty have been disturbed, etc." In a later article they accuse the "prudhommes and the people of the company of the Bachelery" of spoiling the trade of the Worsted Seld by diverting business to their private houses. To the first of these charges the prudhommes make no reply. In answer to the latter they deny that the "people of estate in the said city and of the Bacherie of the same who are merchants of such merchandize" have contravened the custom of the city as alleged.

A Gild of "Bachelors" or young men is not unknown in other towns. But on the face of it this Norwich Gild can hardly have been a mere association of young men. Its members not only held a strong position socially but, at least some of them, were merchants of sufficient influence to divert trade to their own houses. They were citizens and in close alliance with the ruling

¹ No. XXXIX. 3, p. 72.

² Blomefield III. 151, 2; No. CCCIII. pp. 341-2.
Undue influence and support.

body or "men of estate." It cannot be doubted that they belonged to the same class. The "communitas bachelerie Anglie" is mentioned in the reign of Edward I. and interpreted by Bishop Stubbs¹ to be the minor landowners of knightly rank and even all freeholders who attended the County Court. Much has been written about this and other instances of the use of the word. The most recent writer² concludes that even to the close of the 14th century the word denoted rather rash impulsive youth than knightly rank. The Norwich evidence, however, seems to imply position and influence rather than youth, and this is confirmed by some slight collateral evidence. In the deposition of King Richard II. in 1399, Sir Thomas Erpingham, the great patron of Norwich, acted for the "Bachelors and Commons of the South of England"³ where Bachelors stand between the Commons and the Dukes and Barons who precede this class. A remarkably corresponding use of the word is found in Norwich at the same time. In the return of the Gild of St. Christopher in Norwich, in 1389, is a most comprehensive prayer⁴ to be offered by the members. After praying for all kinds of spiritual persons they come to lay people and begin with the "King, Queen, Dukes, Erles, Barouns and Bachelers of ye lond." These are persons who have to "reulen and kepen ye Roialme and holy chirche" as well as "here owen soules." Then prayer is offered for "alle knyghtes, squyers, citizenis and Burgeys, fraunkeleyns, etc." These Norwich folk may have been wrong in their exalted opinion of a bachelor, but plainly the compilers of this prayer (no unlearned men) associated the title with a position of responsibility. As we may assume that the Gild of the Bachelery was not in existence when the returns were made in 1389, we may suggest that it arose out of the requirements of the new County organisation. A large list of Jurors for various purposes would have to be made for the Sheriffs from a class corresponding to the knightly class in the counties.⁵ The Gild may have been formed of members of such a class. Some remarks on the gild may be found in Mrs. Green's *Town Life in the Fifteenth Century* II. 389. But the writer was not acquainted with the real meaning of the

¹ *Const. Hist.* II. 83, 195.

² Professor Tout, *Engl. Hist. Rev.*, Jan. 1902, p. 89.

³ Cotton *Abridgment of Public Records*, p. 389; Blomefield III, 118.

⁴ Toulmin Smith *English Gilds*, p. 22.

⁵ In the Sheriffs' Tourn of 1555 (*Leet Jurisdiction in Norwich*, p. 92) the jurors are called "Milites Turni."

title "Le Bachery," the statements in the "Complaints" and "Answers" not having then come under the notice even of Norwich students.

The Gild of St. George. Of this association it is not necessary here to say more than that it must already have been a body of some influence. According to its own return in 1389¹ it had been founded in 1385, with perhaps something of a military character, for prayers were to be offered by the members "for all trewe men yat travaillen in y^e Kynges viage." In 1417, the year when King Henry V. gave his charter to the municipality, he conferred a charter on this Gild licensing it to hold property to the extent of £10. At present it is not mentioned in connection with civic affairs. At a later time, as will be noticed, it more than occupied the place assigned here to the Bachelery.

Note A. On the date of the first appointment of a Mayor and Sheriffs in 1404. See p. lxii.

Extract from the Mayor's Book.—Under date of 5 Henry IV., which began 30 September, 1403, is stated :—

"Bailiffs Robert Brasyer, Thomas Leverych, Richard Purdaunce, John Damyard.

In which year the Community of Norwich obtained [license] from the Lord King by his charter to choose among themselves a Mayor. And in place of the four Bailiffs two Sheriffs. And on the 1st day of March in the said year they chose William Applyard Mayor, and set aside the four Bailiffs, and chose the aforesaid Robert Brasyer and John Damyard Sheriffs of the said City for that year till the feast of St^e Michael the Archangel, then next following :

1403 [140 $\frac{3}{4}$] William Applyard, first Mayor 1, Robert Brasyer,
John Damyard.

1404 William Applyard 2, Sampson Baxster, John Skye.

1405 William Applyard 3, John Harleston, Richard
Purdaunce.

1406 Walter Danyel, Edmond Warner, Richard Drewe."

From the Court Rolls.—In the fifth year of Henry IV. :—

"Be it remembered that the testament of Geoffrey de Bonewell of Norwich, chaplain, was lawfully proved in full Court of Norwich, before Robert Brasyer and his fellows, Bailiffs of the said City, on the 1st day of March in the 5th year of King Henry, etc."

[The rest of this membrane is blank ; then follows a small membrane with one entry, viz. :]

¹ *English Gilds*, p. 17.

"The first Roll of Deeds and Testaments acknowledged in the full Court of the City of Norwich before Robert Brasyer and John Damiard Sheriffs of the said City from the feast of St. Gregory the Pope in the 5th year of King Henry IV. till the feast of St. Michael next following."

In the sixth year of Henry IV.

"Roll of Deeds, etc., before Sampson Baxter, and John Skye Sheriffs of the said City from the feast of St. Remigius on the 1st day of October in the sixth year, etc."

The Enrolments were made before the Sheriffs till 1 Henry V.

In a Roll headed "Second Roll in the time of William Sedman and Robert Southfeld Sheriffs," after other enrolments "before the Sheriffs," one on 4 December is entered as "before Richard Drewe, Mayor."

In a Roll of 3 Henry V. is entered,

"First Roll of Deeds, etc. . . . before John Mannyng Mayor from the feast of Holy Trinity in the third year . . . for a whole year to the same feast of the Holy Trinity, etc."

Note B. On the expression "Cives et Communitas." See p. lxvi.

This expression, as repeated in a Charter of King Edward IV., was in 1481 the subject of a learned discussion before the King's Judges reported in the ninth Year Book, an abstract of which is given by Merewether and Stephens.¹ In the case of the Abbot of St. Benet *v.* the Men of Norwich a citizen appeared and claimed exemption from pleading outside the City of Norwich. The Charter was produced.² The discussion turned partly on these words. The Charter, it was agreed, incorporated the men of Norwich by the name of "Citizens and Commonalty." But the grant of exemption was made in these words, "Concessimus etiam civibus predictis, etc." Does "Civibus" in the latter part of the charter include the whole corporate body mentioned before? Some of the Judges held that it did not, but two maintained that it did. One of them held that in this case "civibus is to the same effect as commonalty." The other held that the word "civibus" being in the premises included "communitas." No attempt was made to enquire into the origin of the expression; nor was any reference made to the fact that the "civibus" of the grant of exemption was recited from the Charter of Richard I., and had been used more than 200 years before the fuller expression of 5 Henry IV., in which it first occurs. Apparently, by a legal fiction,

¹ *Hist. of Engl. Boroughs*, p. 1020.

² It would be that of 10 February, 1 Edward IV.

every clause even in the recited charters was supposed to be literally granted anew by the King who appended his general confirmation.

Note C. On the original meaning of a Common Council." See p. lxxii.

It is doubtful whether the phrase "*per commune consilium civitatis*" in the thirteenth century should ever be rendered "by the Common Council of the City." It is also very difficult to decide definitely what was in the minds of those who in the end of the fourteenth and in the fifteenth centuries were actually speaking of what has since been called a municipal Common Council. We must here confine ourselves to the Norwich evidence. We have two facts to guide us. First the word "*consilium*" in the case of the Twenty-Four was certainly based on the idea of "counsel." They might be described in modern language as the Bailiffs' (or the Mayor's) Council, but more strictly they were "Counsellors." We should, therefore, expect the same meaning to attach to the 60 elected "*pro communi consilio*." The fifteenth century oath of a Common Councillor¹ bears this out, "When ye be summoned to the common counsel of the City good and true counsel ye shall give after your wit and cunning." Secondly, a combined meeting of all the deliberative body is almost without exception called an "Assembly" (*congregatio*). It would appear, therefore, that the original meaning of "*Commune Consilium*" was "common counsel." But the word "*consilium*" had very early been used for the advisory *body*, as in the expression used of the Twenty-Four, "*de consilio Ballivorum*," probably through confusion with the similar word "*concilium*." This development is illustrated in an entry of 1493.² At the election of Aldermen and Councillors the clerk (quite out of ordinary form) connects the Aldermen with the Council, describing them as elected "*de communi consilio*," to be members of the Common Council. In the case of the Councillors he curiously describes them as elected "*de et pro communi consilio*," which is a mixture of the membership of a Council ascribed to the Aldermen and the obligation to join in giving good counsel hitherto ascribed to the 60 representatives of the Commonalty. In a much later document these two senses are carefully distinguished. The second Charter of Charles II.,³ granted in 1683, and afterwards cancelled, orders that the Mayor, the Aldermen (or any 12 of them), the two Sheriffs, and the Common Counsellors (*consiliarii*), or a majority of them, shall be the Common Council (*Concilium*) of the City.

¹ No. XLVII. 1, p. 122.

² No. CCXXXI., p. 288.

³ No. XXXII., p. 51.

VI.—Troubled Times and Opposition, 1426—1447.

1. *Alleged Encroachment on the King's jurisdiction in the Hamlets.*

In 1426, Thomas Ingham, then Mayor, commenced a new "Book of Evidences," a step which we have more than once taken as a sign of the hopeful anticipation of a period of municipal progress. The Book has long been called the "Liber Albus"¹ and was doubtless suggested by its London namesake, which was compiled in 1419 by John Carpenter, Common Clerk of London. If Thomas Ingham, like Richard Spynk 80 years before, looked forward to a time of peaceful progress under the new *régime* his hopes were sadly disappointed. Even then the citizens were engaged in a tedious legal contest with the King, and in fact the whole period between 1417 and 1452 was marked by almost incessant litigation ending in heavy penalties and more than one forfeiture of the liberties of the city. Both the "Liber Albus" commenced at the beginning of this disastrous period, and the "Book of Pleas," compiled at its close, are full of records of the legal proceedings which scarcely ceased. They belong to four or five distinct controversies and the disentanglement and piecing together of the mass of confused and scattered details is no slight task. They are here noticed partly because they chiefly arose out of difficulties in working the new constitution and also because they illustrate in many ways the municipal condition of the city and the development of the final settlement of the form and character of the governing body which was mainly effected in 1452 and underwent little change afterwards till 1835.

The first of these controversies was the direct result of the separation of the City of Norwich from the County of Norfolk and its establishment as a County of itself. It was taken for granted by the citizens that this grant carried with it an extended area of suburban jurisdiction. The new County must needs include more area than the old City. Attention has previously been drawn to the uncertainty which exists as to the recognised circuit of the city before the license to enclose it with a bank and ditch in 1253. Scarcely any evidence on this matter is forthcoming. In *Domesday Book* the Vill of Norwich and the Hundred of

¹ Whether it was originally called "Liber Albus" is doubtful. It is referred to in some city documents as "Liber Cartarum" or "Liber Pergamenus."

Norwich are apparently treated as identical. The burgesses, however, have some possession over 80 acres of land and three of meadow in the adjoining Hundred of Humbleyard. In 1205, a dispute arose which led to a fine being levied¹ between the Prior of Norwich and the citizens concerning some pasture land in Lakenham and Eaton. Whether this was the same as the 80 acres of Domesday cannot be proved. It was decided that the fee belonged to the Prior but the citizens had rights of pasture. The latter agreed to certain small payments for their cattle and gave the Prior leave to cultivate 40 acres. In this fine the land is described as "in suburbio Norwici." Such an expression might be used as an appropriate description of land outside the inhabited limits of the town and adjoining it. When the foss was made in 1253, the citizens in the opinion of the monks of the Priory² "could in no manner do [this work] without prejudice of others, by enclosing lands of other fees and other franchises and lying in divers hundreds." These wrongfully appropriated lands are specified as lying round a great part of the city in the hundreds of Blofield, Taverham and Humbleyard. The monks ought, in fairness, to have admitted that in two cases at least the citizens left lands unenclosed which certainly formed inhabited parts of the city; outside Conesford Gates towards Troues and part of the parish of St. Benedict towards Heigham. No small portion of the lands thus enclosed in 1253, as the Cathedral Precinct and Normansland, and Holmstrete, Ratonrowe and part of Tombland (which three lay outside the Precinct wall) were in the jurisdiction of the Prior. Over these the citizens had already challenged the jurisdiction on the ground that King Richard I. had granted them the city and had not excepted these parts. They do not venture to claim that these lands were within the jurisdiction of the city in King Richard's time, and the monks affirm on the contrary that "before the 5th year of King Richard the First they were entirely separated from the City of Norwich." With regard to these disputed lands which lay *within* the city enclosure there had always been constant disputes. But when the City became a County the area of dispute was extended to the suburbs.

The foundation for this was the language of the Charter of King Henry IV. It ran, "We have granted . . . that the

¹ *Feet of Fines Norf.*, John, No. 293; *Lib. Alb. Norw.* f. 12d.; *Town Close Ev.* 4.

² No. XXXIII. p. 57.

said city and all the land within the said City and the Liberty thereof with its suburbs and hamlets and their precinct and the land in the circuit of our said City of Norwich (the Castle and the Shirehouse excepted) shall be separated from the said County of Norfolk." And at the close of the Charter it is declared that the change of Title is not to be to the prejudice "of the aforesaid Citizens and Commonalty [and] their heirs and successors or the tenants and residents within the said City of Norwich, suburbs, hamlets, land, precinct and circuit in respect of any of the liberties heretofore granted to them by our progenitors." We may suspect that this ample description was suggested by the citizens themselves. When, however, they endeavoured to act upon their liberties as thus interpreted they found themselves involved in a conflict with the very authority which had granted them.

2. The controversy began with a charge made by the Prioress of Carrowe¹ against the Prior of Norwich for driving off some of her cattle from Carrowe and impounding them at Lakenham till she made fine. The plea was tried at Westminster in Trinity Term, 1416. The Prioress was described as "Prioress of Carrowe in the County of Norwich." The Prior objects that Carrowe is in the parish of Bracondale which is in the County of Norfolk and that only by colour of the late Charter making the city into a county did the citizens claim it as parcel of the city. Judgment on this issue was given that "on the day of Henry IV.'s Charter Carrow was parcel of the City of Norwich." In Michaelmas Term, 1416,² the same Prioress was appealed by a certain Margery, widow of William Koc, of Trous, who had been murdered at Lakenham in 1415, on a charge of harbouring his murderers. Again the case turned on the same question with the same result. The second verdict that Carrow was in Norwich and not in Norfolk was not given till July, 1418.

Meanwhile more sweeping charges were brought against the citizens themselves. On 10 July, 1417, King Henry V. issued a Writ³ to Edmund Oldhalle, his Escheator in Norfolk, to enquire into alleged encroachments by the Citizens of Norwich on the King's Geldable by appropriating jurisdiction in the hamlets, etc. The Inquisition was held at Cringleford on October 7th in the same year. The citizens were charged with many offences. They

¹ No. CCLXXXIV. ² No. CCLXXXV. See also *Lib. Alb. Norw.*, fol. 45.

³ No. CCLXXXVI.

had illegally held an inquest on the body of William Coke, murdered, as just mentioned, in Bracondale, on 16 August, 1415. They had held another inquest on a body found in a clay pit in Bracondale. They had compelled residents in Bracondale to answer complaints of debt in their court. In 1417 the Mayor, Sheriffs and others had fished in Troues Ee and carried the fish home singing and shouting "We are in possession by right, and by our liberties of the City of Norwich we have caught them, etc." At their Sheriffs' Tourn in 1415 they had amerced the Prior for making ditches in a meadow on the Thorpe side of the river. In 1416 the Capital Pledges at the Sheriffs' Tourn had perambulated various parts of Troues and Lakenham. They had seized distrains from persons at Sprowston, a mile out of the city. The judgment in this case is not recorded, but it went against the citizens and, after long delay, in Hilary Term, 1431, they threw themselves on the King's mercy. The Mayor was fined £12; two former Sheriffs £4 6s. 8d., and various smaller fines were laid upon a number of citizens specified by name.¹

About 10 years afterwards (in 1441) all these charges were again brought against the citizens with other fresh charges of a similar kind in what we may call the third great trouble.² The citizens in pleading at Westminster claimed that all the hamlets, etc., became, by the charter of Henry IV., "the one county of the city of Norwich." The case dragged on till 23 September, 1443, when at an Inquisition held at East Dereham, before Judges Yelverton and Paston, a Jury declared that not only the Prior's lands within the walls had never been in the King's City of Norwich, but also that Magdalen Hospital and the Clay pit and the hamlets of Troues, Lakenham, Brakendale and Eton, Trouesmyllegate and the Priory of Carrow are not and were not (nor any parcel of them) in the suburbs of the city.

3. In considering these verdicts we may observe that the Juries in the cases where the Prioress of Carrow was concerned (the first of which consisted of 24 knights from that venue) affirmed that Carrow was parcel of the city. In the Inquisition at Cringleford in 1417, the advocate for the Crown began with a statement that "all the hamlets are wholly in and of the County of Norfolk and the City has no hamlets save one outside Heigham Gates." With that exception, he argued, the City Ditches or the middle

¹ No. CCLXXXVII.

² Nos. CCLXXXVIII. to CCXCI.

of the River formed the boundary between the City and the County. This was too sweeping an assertion, for besides Carrow and part of Heigham a third suburb was certainly Troues and Trouesmyllegate outside Conesford Gates. This was so thoroughly acknowledged that in the payment of a Tenth and Fifteenth, while Bracondale was charged 20s. as a township of the Norfolk Hundred of Humbleyard, 12s. of that sum was collected by the City Collectors in Troues, as being part of the City. This was the case in the time of Henry V.¹

With these and perhaps a few other exceptions there seems to have been no part of the suburbs of Norwich over which its citizens could succeed at this time in substantiating any right to jurisdiction² even by appealing to the comprehensive terms of King Henry IV.'s Charter. It seems indisputable, therefore, that they could now claim no rights over any ancient "leuga" or "banlieu" such as many old cities and boroughs possessed. It may of course be possible that they had once had such rights and had lost them. Mention of "Norwich Fields" is made in early documents. What evidence can be adduced may be stated elsewhere.

4 "Wetherby's Contention."

The second of the great troubles which marked this period resulted in far more disastrous consequences than the first, and was mainly the cause of those that followed. From 1 May, 1433, till 12 November, 1447, the city knew no peace. The originating cause of the disturbance was not, as before, undue straining of jurisdictional claims, but internal faction. The voluminous records which have been preserved agree in attributing the mischief almost entirely to the factions and unpatriotic conduct of a leading citizen, Thomas Wetherby. His opponents accuse him of over-weening pride and a desire to rule the city wholly after his own will.³ His weak defence of his proceedings in a court of law and the character of the outside patrons whom he enlisted on his side to interfere in matters which were no concern of theirs are confirmatory of their condemnation. Unfortunately for the city, it was a time when violence and contempt for justice reigned supreme throughout the land, so that even the Privy Council discussed the matter, when

¹ *Norf. Arch.* XII. 289. Kirkpatrick's *Streets and Lanes*, p. 90.

² Such as the Cambridge Borough Court did. Maitland *Township and Borough*, pp. 74, 75.

³ *Lib. Alb. Norw.*, fol. lxvi., No. CCCIX

lxxxiv. *Selected Records of the City of Norwich.*

it came before them, with a disregard of all points except one, how the King might best take financial advantage of the city's extremity.

Thomas Wetherby had been Mayor for the second time in 1432, and on 1 May, 1433, towards the close of his year of office, the citizens met to elect a new Mayor.¹ According to their charter the Commons named two Aldermen, Purdance and Gerard. But Wetherby was determined to have one Grey as the next Mayor. A confused scene of riot followed. Hauke, the Common Clerk, falsely returned the names of Grey and Gerard. Wetherby's mace bearer threatened to break his opponents' heads with his mace, and other officers behaved with equal violence. Wetherby came out to the Commons and declared that Grey was their new Mayor. But they all cried out with one voice, "Nay, Nay, Nay, we never named Grey, but Purdance and Gerard." Wetherby led Grey home, but the rest remained and elected Purdance. Fearing, however, that the absence of the Mayor might invalidate the election, they made some ineffectual attempts to get Wetherby to return. Finally, by the intervention of the Bishop, he was persuaded to agree to the election of Purdance—which he promised "with mouth and heart and with his hand in the Bishop's hand." Wetherby continued to hold office till June 16th, and during that time had, as Mayor, to give his approval to the disfranchisement of his offending municipal officers. On June 16th Purdance, his successor, confirmed the sentence, and it was sealed with the city seal. All this was but the beginning of troubles. At Wetherby's instigation a Commission was appointed in September² following to enquire into the misgovernment of the city. Whether it met does not appear. In February, 1434, in presence of the Chancellor³ (the Bishop of Bath), and the Earl of Suffolk, Wetherby and his party on one side and the citizens on the other agreed to appoint a Commission of themselves to enquire into the grievances, and all promised to abide by the award. This Commission of Arbitrators was chosen in full Assembly, and after several sittings, on March 12th the five officers, who had been punished for violence at the election, were declared guilty and fined £20 each, which was pardoned on their submission. On March 22nd Wetherby, who had refused to come near, was fined £100 and deprived of all offices. On March 26th the Award was approved by the Assembly.

¹ No. CCXCVI. The sitting Mayor remained in office till Trinity Tuesday.

² Blomefield III., 144.

³ No. CCXCIV.

This year and the two years following Wetherby continued to interfere in the election of Mayors,¹ but nothing serious occurred till Michaelmas, 1436. Then Hauke, the offending Common Clerk, was appointed Under Sheriff in spite of his disqualification.² This is attributed to Wetherby's influence, seconded by the two new Sheriffs. Thereupon the whole of the Commons made suit to the Chancellor to remove Hauke. But Hauke on November 23rd caused false returns to be made, in which the complainants were accused of malpractices on 1 May, 1433, and a different account of that election was given. He then, without the knowledge of the Sheriffs, took their privy seal, which was in his keeping as Under Sheriff, and sealed the documents in their name.

5. This new development called forth a Royal Writ of Enquiry. On December 18th Sergeant (afterwards Justice) Goddard was sent down to ascertain the truth. On January 2nd, 1437, he came to Norwich and summoned before him all the officials, the Common Councillors and all others interested, the whole of whom were present except three. The Enquiry, as reported to the King, is recorded at great length in an exemplification afterwards obtained and copied in the *Book of Pleas*, and from it the above information is chiefly taken.³ The general result was that the whole of those present affirmed the truth of all the accusations made against Wetherby and his party, and the falsehood of all the counter accusations made against the other citizens in Hauke's return.

6. After this emphatic judgment the next step taken would come rather as a surprise but for our knowledge of the utter lawlessness of the period. On 21 March William de la Pole, Earl of Suffolk, attended an Assembly to declare the King's will.⁴ It was ordered that all writings or edicts against any of the offenders were to be declared null and void, and that all of them were to be reinstated in the offices from which they had been removed. The only compensation was that Wetherby and his party should no more vex their opponents. This agreement was to be signed by all parties and one duplicate to be kept by the Earl, the other to be laid up among the evidences and muniments of the city. Although this order was palpably unjust, it accorded with the view which the highest authorities at Westminster, instigated, as

¹ No. CCCIX. (p. 348). ² No. CCXCII.

³ Nos. CCXCIII. to CCXCVII.

⁴ Assembly Book, fol. ii. No. CCXCVIII.

it would seem, by Wetherby, had been induced to adopt. On 26 April the Privy Council¹ sent two Commissioners to Norwich to be present at the next election on 1 May. It is said that Wetherby got them down at his own cost, yet the election went against his candidate.² The Privy Council next summoned six persons of each party, who appeared before the King's Council on 12 July. It was then ordered that the liberties of the city should be seized and its custody entrusted to John Welles, an Alderman of London. Two Sheriffs were also appointed to answer to the King for his dues. So matters continued till November, when a curious discussion took place in the Privy Council.³ It was stated that the maintenance of the Warden involved a "great charge." As the King on these forfeitures took all the tolls and profits into his own hands, this indicates how much the city was suffering from all the disturbances. The Privy Council advised the King that he should appoint an impartial person as Mayor till the next election, and meanwhile demand a declaration of submission from the citizens. If they refused he might close their port by way of cutting off their private trade; but "the cloth was to pass," otherwise the King would suffer damage. Afterwards, on payment of a heavy penalty, their liberties might be restored.⁴ In that case the number of Aldermen was to be reduced, a proposal as to which we shall find more said in other documents. The first part of this advice was adopted.⁵ On 29 November the King appointed John Cambridge as Mayor, and two other citizens as Sheriffs, but the Warden continued in the city, and although on 4 March, 1438,⁶ he is called "late ful notable and worthy warden," yet the same day a letter was sealed to John Carpenter of London (evidently the well-known Common Clerk), urging him "to make instances to the King's Council for full reformation of our liberties." Two days later, in presence of the late Warden, the customary form of peacemaking all round was gone through, and for a time things took their usual course. What penalty was imposed on the citizens is not recorded.

¹ Privy Council Proceedings, No. CCXCIX.

² No. CCCIX, p. 348.

³ No. CCXCIX, p. 338.

⁴ In commenting on this discussion Sir H. Nicolas (*Proc. Privy Council*, vol. 5, p. xxiv.) justly observes, "So favourable a pretence for raising money was too tempting to be resisted."

⁵ Patent Roll, 16 H. VI., part 1, m. 13.

⁶ Assembly 4 Mar., 16 H. VI.

7. *Disputes with the Prior of Norwich and others about Jurisdiction.*

The supposed settlement of March, 1438, was of very short duration. According to the narrative in the *Liber Albus*,¹ Wetherby, after failing to elect his candidate in May, 1437, "continued in his malyce gretely to hurt the Citte." He revenged himself by stirring up outsiders to bring complaints against the citizens. He induced three neighbours to attack them, the Prior of Norwich, the Abbot of Wendling, and the Abbot of St. Benet. Already in 1437, October 25th, the Assembly had resolved that if the Abbot of Wendling impleaded the City concerning the Common Stathe, the Treasurer should pay all costs out of the goods of the city.² The Citizens held a lease for 600 years of a Common Stathe or landing place belonging to the Abbot in Conesford. Something was owing to him, for on December 12th an obligatory bond of £100 due to the Abbot of Wendling was sealed with the common seal and deposited with another writing of the Abbot in the hands of the Prior of Norwich "to be kept as in an unbiassed hand."³ The Prior had not yet joined in the fray. But on 4 February, 1439, a Writ of Trespass was served against the Mayor and Sheriffs for a rescue in Holmstrete.⁴ Though this action was taken by the Sheriff of Norfolk, the locality was part of the old fee of the Prior. Every "able and resident" citizen was ordered to pay 6*d.* to defend the franchise on pain of losing the freedom. The prospects of the citizens were probably not improved by their sending two of their number on 18 October, 1440, to ask the King to repay £100 they had lent him. The Duke of Gloucester was expected in Norwich, and the £100, *if recovered*, were to remain with the Treasurer, so that 40 marks of the said £100 might be given for the honour of the city to the Duke of Gloucester.⁵ Needless to say, this scheme of propitiating the Duke at the expense of the King did not succeed. On the contrary, the Duke of Norfolk arrived⁶ on January 30th, 1441, to ask for a further loan for the King, but was told, no doubt with truth, that the city was too impoverished to give any money.

The threatened storm burst in the following July. A Commission of Oyer and Terminer obtained by Wetherby and his

¹ No. CCCIX. (p. 348 foot).

² 1st Assembly Book, fol. iv. *d.*

³ "Ut in equali manu custodiend," 1st Assembly Book, fol. v.

⁴ *Ibm.*, fol. vii.

⁵ No. CCXVI.

⁶ 1st Assembly Book, fol. xv.

confederates sat at Thetford on 31 July.¹ There the Prior and the Abbot of Wendling, each separately, laid before the Commissioners the Statute of 28 Edward III., authorising the neighbouring counties to deal with misgovernment in cities and boroughs.² Armed with this authority, the Commission seems to have started litigation in respect of the complaints of the Prior and the Abbot of St. Benet. About the Abbot of Wendling we hear no more. The proceedings with regard to the Prior's charges we have already referred to,³ so far as they relate to the hamlets. We have called them the third of the great troubles which now befell the city. The litigation on that point was transferred to Westminster, and was protracted till September, 1443, when a Court at East Dereham adjudged that the Mayor and Citizens had been guilty of encroachments and must make fine with the King. All parties were to come at the Octave of Hilary following to hear judgment.⁴

8. "*Gladman's Insurrection.*"

The controversy with the Prior or with the King as to encroachments on the King's geldable or the Prior's exempt jurisdiction might have terminated as before in a money penalty. But in the earlier part of this year, 1443, there had occurred in the city the fourth and worst catastrophe of all this disastrous period. As already mentioned, besides the complaints of the Prior and the Abbot of Wendling, there came before the Commission at Thetford in July, 1441, some complaints of the Abbot of St. Benet, who held the Manor of Heigham on the River Wensum immediately above Norwich.⁵ Some ten years before, the citizens had erected some new mills within the city boundary, and the Abbot maintained that they had thus obstructed the flow of the water from his lands and also blocked his right of free passage for his boats. The defence of the citizens was that there had always been four mills standing across the river, and that the Abbot never had a passage for his boats except when they themselves had cut one at the making of the New Mills. The report of the Commission on this matter is not recorded. Wetherby and his fellows, under pretence of being friends to the City, managed to get the dispute between the citizens and the Abbot

¹ Nos CCLXXXVIII. and CCLXXXIX.

² See above, Sect. iv., 12.

³ *Ante*, p. lxxxii.

⁴ No. CCXCI.

⁵ No. CCCIX.

submitted to the arbitration of the Earl of Suffolk, who had already sufficiently shown his bias against the city. His Award, which is not preserved, seems to have ordered the citizens to abolish their mills and to enter into a bond of £100 with the Abbot to be forfeited if ever they ventured to start them again.¹ This must have been some time during the year 1442. The citizens indignantly refused to accept the Award or to put the Common Seal to any such bond. From September onwards great efforts were made by Wetherby and the Abbot's Council to get the matter through, but without effect. To this period we may probably assign the interference of another great man whom Wetherby had won over to his side, the Duke of Norfolk. Two of his letters are preserved.² They are both written from his Castle at Framlingham. In the first, dated 9 October, in what year is not mentioned, he complains of the unfriendliness of the citizens towards Wetherby "which standith in favour of our good lordship," and bids them allow him to go peaceably in and out of the city.³ They were to return a satisfactory answer by the bearer. This they declined to do. So he writes again on 28 December, saying that he has heard that far from showing Wetherby favour, as he (the Duke) desired, they were even feigning new causes of malice against him. He announces that he intends to support Wetherby in his right, and warns them of the consequence if they defy him. Mention is also made of the Duke's active support of Wetherby in London in one of the Paston letters.⁴

9. Things continued in a critical condition until the following January. Then (to follow the narrative in the *Liber Albus*)⁵ Wetherby and the Abbot's Council came to Norwich and persuaded William Hempstede, then Mayor, to call an Assembly. They met on the Conversion of St. Paul⁶ (January 25th), and sat for many hours, Wetherby and his friends vainly endeavouring to get the bond sealed. At last a great crowd of the Commons came to the Hall and carried away the Common Seal so that nothing might be sealed in their name. The narrative which contains this statement was not written till 1482. It seems more likely that the Assembly and the seizure of the seal took place on the previous Tuesday, 22nd January. On that day it is stated⁷ that the citizens rose in a

¹ No. CCCIX., p. 350. ² No. CCCVIII.

³ He lived at Intwood, about two miles from the city.

⁴ Gairdner's *Paston Letters* (1896) I., 43, conjecturally dated "after 1440." See also note A at the end of this section.

⁵ No. CCCIX. and CCCX.

⁶ p. 350 (foot).

⁷ No. CCCI. Inquisition at Thetford.

threatening manner, declaring that they had power to slay the Bishop, the Abbot of St. Benet, and the Prior of Norwich, and compel them to relinquish their actions. The Assembly sat till five o'clock,¹ so it would be too dark to do much more than threaten. Perhaps the next day, or, if not, on the 25th, occurred the most unaccountable incident of the whole disturbance.² A certain John Gladman is accused of parading the streets on horseback as a King, with a paper crown on his head, preceded by two men carrying a sceptre and a sword, and followed by a number of supposed attendants, who called the citizens to arms. The whole reads like a piece of Christmas mummary, and so it was explained. He was a man, it was said in defence, of a sad disposition and true and faithful to God and the King. He was only disporting himself, "as hath ben accustomed in ony Cite or Burgh thurgh al this reame on Fastyngong Tuesday." He was crowned as King of Christmas. Before him went the months of the year, and behind came Lent clad in white, with red herring skins and his horse trapped with oyster shells. The mention of "Fastyngong Tuesday," that is, Shrove Tuesday, is perplexing, and has led to its being stated sometimes that this riot took place on that day. It was certainly on 24th or 25th January,³ and Shrove Tuesday in that year was not till 5 March. So it was a poor excuse for what was at best a foolish thing in the excited state of the city, to plead that he was only doing what any one might be expected to be doing some weeks afterwards. Whatever was the meaning of this strange procession, it caused the whole riot to be dignified by the high-sounding title of "Gladman's Insurrection." On January 25th (either the day of this procession or the next) a deliberate attack by a large body of citizens was made on the Priory,⁴ which was besieged for four days, when two of the monks brought and delivered up an agreement made in 1429 between the then Mayor and Prior by which the Mayor had bound the citizens to pay an annual sum of 4s. to the Prior and relinquish all rights in the disputed districts.

10. Meanwhile news of the riot had reached London and the Duke of Norfolk, the Earl of Oxford and others arrived with a royal commission to take the city into the King's hands. But from 28 January for a week the Citizens kept the gates closed and would not allow the Commissioners to enter.⁵ They had now

¹ p. 351. ² Nos. CCCI. and CCCVI., p. 345.

³ The 25th being a Feast Day might be the more likely day.

⁴ No. CCCI. ⁵ *Ibm.* p. 341.

compromised themselves without hope of evading punishment. Wetherby is, of course, accused of making the most of the delinquencies of his opponents.¹ He and the Abbot charged them before the King and his Council with the supposed insurrection, and the Mayor was summoned to London. He went at once to Greenwich to solicit the support of the Duke of Gloucester which was promised, but without avail. When the Mayor appeared before the Lords of the Council on February 13th he was arrested and committed to the Flete Prison² and only released on 26 March on payment of a fine of £50. While the Mayor was in prison Wetherby and his party ruled the city as they would. They got possession of the seal and sealed bonds of £100 to the Abbot of St. Benet and two others of £50 each to the Bishop and the Prior, and destroyed the city mills, to the great damage of the city. This was done on 10 March, when the citizens were utterly helpless. A Commission of Oyer and Terminer had been appointed, consisting of Sir John Fortescue and other Justices, who sat at Thetford on 28 February. After hearing all the charges the Court adjourned and met again at Norwich on 4 March. There a certain Thomas del Rowe was appointed by Wetherby, who was now supreme, to act as attorney for the city.³ He pleaded a defence in the morning, but in the afternoon with no just reason entirely relinquished his plea. By his action the Mayor and Commonalty were made to throw themselves on the King's mercy "*humillimo modo quo sciverunt aut potuerunt de alto et basso*." They offered to make fine with the King and give as pledges William Hempstead, Thomas Wetherby and 120 other substantial citizens.⁴ But it was found that nearly all these were already separately attached for other fines, perhaps in connection with the pleas on the Prior's charges which were not yet completed.⁵ They were therefore held insufficient. A day, 14 March, was fixed for judgment, and then the liberties were seized and Sir John Clifton was appointed Warden.⁶

11. After the liberties were restored in 1447, the citizens repaired their mills, and in Easter Term, 21 Edward IV., another Abbot of St. Benet sued the city for the £100 to which Wetherby had bound them. Besides the discussion on "*civibus*" and

¹ No. CCCIX. p. 351.

² See the Certificate of the Governor, No. CCCXI.

³ No. CCCIII. and CCCIX. p. 352.

⁴ No. CCCIII. p. 342.

⁵ See *note B.* at the end of this section.

⁶ He was to have the sword, hat, maces and other insignia carried before him to the honour of the King, as the Mayor, etc. Escheators' Accts. (P.R.O.), H. VI., p. 51.

"communitati" mentioned above¹ the case was argued on the question of the validity of the bond in the absence of the Mayor in the Flete Prison. The Abbot maintained² that the Mayor was "his own master and unrestrained (*sui juris et ad largum*)."³ The citizens pleaded that he was in prison by covin of the Abbot's predecessor. Finally, in the Michaelmas Term the Judges gave a decision in favour of the City and the Abbot ceased from further annoyance.

One more piece of litigation remained for the city to carry through. On 13 November, 1444, the citizens made a petition in the King's Court at Westminster to be excused their Fee Farm Rent of £113 8s. while the city liberties were forfeited and they could not collect the revenue from which they paid it. This petition is the source from which much of our knowledge of these later disturbances is derived.⁴ For some reason the matter was not then decided. Another document copied in the *Book of Pleas*⁵ is a record of the same petition considered at Michaelmas, 30 H. VI. (1451). The whole lengthy record is repeated, only changing the names of the Sheriffs and mentioning the restitution of the liberties which had occurred in the interval. After many adjournments it was decided at Easter, 1452, by Barons of both Benches with "*legis periti*" assisting, that the citizens should not be charged with their fee farm rent during the period of forfeiture, provided that they answered faithfully to the King for all the profits and issues during that time.⁶

Note A. Wetherby's Supporters. See p. lxxxix. *n.* 4.

Besides the Earl of Suffolk and the Duke of Norfolk, Wetherby had won over two leading Norfolk men, Sir Thomas Tudenham of Oxburgh and John Heydon Esquire of Baconsthorpe, the overbearing proceedings of both of whom are frequently mentioned in the *Paston Letters*. Tudenham was Sheriff of Norfolk in 1431. Heydon was Recorder of Norwich in 1433. He is said to have been removed from his office on the ground that he had betrayed the interests of the City in a dispute with the Prior. The charge is made in a document beginning "These be the Extorsions, Oppressions," etc., committed by these two persons. (No. CCCVI.). The document numbered CCCVII. contains similar

¹ p. lxxvii. ² No. CCCX.

³ *Book of Pleas* xvjb—xxb., No. CCC. to CCCV. It is interesting to notice that the Fee Farm Rent is traced back in the King's Records to the Great Roll of 6 Richard I., that is to the date of Richard's Charter not to that of Henry II.

⁴ *Book of Pleas* lxxxj - lxxxvb. and lxvj.

⁵ Note C., p. xciii.

presentments. Both may be assigned to 1450, when the Duke of Norfolk was expected to come for the purpose of restoring order in Norfolk and these two were to be arraigned before a Commission of Oyer and Terminer. (Gairdner *Paston Letters*, 1896, pp. lxiii. to lxviii.)

Note B. Norwich Fines in 1443. See p. xci. n. 5.

On 14 March, after the rejection of the Norwich sureties, the Privy Council discussed how the seizure of the liberties would best be effected without damage to the King. On 12 July the Treasurer and Barons of the Exchequer were ordered to send the estreats of all who had been assessed to make any fines for any presentment to the Chief Baron and another who had been sent to Norwich. And the next day the Lords of the Council granted for victualling the "bastiel of Diepe" 1000 marks in money and 2000 marks also of money "that wol growe out of the fines at Norwich." (Nicolas. *Proceedings of Privy Council*, Vol. V. pp. 242, 306). Perhaps the 1000 marks formed the "gret fyn" referred to in the Petition to the Earl of Suffolk (No. XLIII.).

Note C. Gladman's Riot. See p. xcii. n. 5.

Madox, *Firma Burgi* p. 291, has given the latter part of the Petition for remission of the Fee Farm Rent at considerable length. But he has not observed that he is quoting from both the petitions as if they were one. Though he quotes the passage from the later document mentioning the restitution of the Liberties in 26 Hen. VI. (November 1447) he gives at the close a reference to the earlier document, 23 Hen. VI. (Mich. 1444). In a trial of "King v. Corporation of London" Easter, 8 Ch. I., the Norwich riot is referred to as a case of "Riot not suppressed by day time in a walled town." (Sir G. C. Croke, *Reports*, p. 183).

VII.—Permanent Settlement of the Constitution, 1447—1482.

I. *Suggested alterations.*

The long series of the foregoing disturbances may furnish a graphic illustration of the difficulties of municipal progress in the 15th century. But it is not easy, except in the case of the first of them, to trace any principles of municipal policy actuating either party of the disputants. Blomefield,¹ in introducing Wetherby's Contention, says, "There was a continual disturbance

¹ *Hist.* III. 144.

between the *court* and the *commons* for several years." The evidence, however, scarcely bears out this description. The contending parties appear throughout to have been Wetherby and some adherents (at first in the city but afterwards chiefly outsiders) on the one side, and the great mass of the citizens, high and low, aldermen and commons, on the other. Again, a recent able writer¹ has suggested as one cause of antagonism the rivalry of interest between the country wool producers and the city authorities who had the aulnage of all the wool. Whether this were so or not, it can hardly be said that such matters were at any time put forward in the controversy. We can only fall back on the view that these disputes arose out of party faction, which would never have grown to such serious dimensions had it not been for the lawlessness of the times and the intervention of powerful and unscrupulous agitators from outside. From the point of view taken in this present historical sketch they are of interest for the special statements made from time to time in the course of the pleadings, and because towards the close of them we come to a question which directly touches the development of city government.

We have seen² that in 1438 the Privy Council advised the King that on restoring the liberties it would be well to reduce the number of the Aldermen. This was not done. The suggestion may have come from Wetherby through the Earl of Suffolk who had just given an Award in his favour. Two undated Petitions are among the city records which advocate some change in the position of the Aldermen. The first³ is addressed to the Bishop of Norwich and the Earl of Suffolk. It is a petition for the restitution of the liberties. These were forfeited on 14 March, 1443. On 14 September, 1444, the Earl of Suffolk was made Marquis. It falls therefore between these limits. This was the period of Wetherby's predominant influence, and the humble promise of submission to their guidance, expressed in another document,⁴ bears the impress of his policy. The Petitioners observe that hitherto there have been four wards and each ward has chosen six Aldermen and certain Commoners of the counsell of the town. They pray that in future there should be 24 wards, that each by itself should choose an Alderman and three Commoners for the Common Counsell. They would forbid all "common officers, men

¹ Mrs. Green, *Town Life in the XVth Century* II. 385.

² p. lxxxvi.

³ No. XLIII.

⁴ No. XLIV.

of law and attorneys of the law" from voting at elections. The election of the Mayor and Sheriffs should be confined to the Mayor, Aldermen, and the 72 Commoners chosen by the wards. "Every Aldirman shall have charge and governance under y^e Mair to kepe the goode rule and peas within his said ward and so shal every Aldirmans governance be knowen."

The other petition¹ was drawn up somewhat later, being addressed to the Marquis of Suffolk. It was therefore between September, 1444, and November, 1447, when the liberties were restored. After some reference to the disputed jurisdiction between the citizens and the Prior (in which the Prior's claims against the citizens are again distinctly favoured) the Petitioners come, as before, to Wards and Aldermen. This time they suggest that the four wards might be divided into 12. There should also be 12 Aldermen, each bound to answer for his own ward. Each ward should have constables and bedells. Each Alderman should hold a Wardmote once a year or oftener and "have power to chastise misdoers in his warde in manner and forme as it is used in y^e citee of London." Each ward with the assent of its Alderman should yearly choose four persons "for to be of the common semblee." These 48 on the day of the Dedication of the Church of the Holy Trinity² should meet, when the Mayor and Aldermen should name two persons for Mayor, and the 48 should elect one of them. On the Nativity of the Blessed Virgin (September 8th) the Mayor should choose one Sheriff and the Assembly the other.

2. These two sets of Petitioners, though differing in certain details, were agreed on two main principles. They would both have the city, for elective and administrative purposes, subdivided into smaller districts than had hitherto existed. They would also break up, as far as possible, the united authority of the Aldermen and limit the magisterial authority of each Alderman to his own small district. In these directions their policy may be said to be one of decentralisation. The reasons given are the avoidance of tumultuous crowds at elections,³ and the possibility of knowing the particular Alderman whose misgovernment was leading to disturbance. There is nothing revolutionary in these suggestions, for which the example of London is pleaded. As, however, it is

¹ No. XLV.

² The Dedication Festival of the Cathedral Church was on 24 September.

³ The same complaint was made in London (*Lib. Alb. Lond.* II. pp. 18, 19).

manifest that the petitioners belonged to Wetherby's¹ party and were ready to gain favour from his outside supporters by concessions which the citizens had hitherto opposed at a ruinous cost, we must presume that they expressed Wetherby's policy. It would seem to follow that the united action of the Aldermen had not been on his side. This may explain the settlement which finally resulted, and which did not carry out these suggestions.

There can be little doubt that, in response to the second Petition, the Bishop and the Marquis had approved the proposed alterations and had obtained the consent of the King and his Council to their enactment. On such a supposition alone can we account for a remarkable document which is preserved amongst the city archives.² It is in the form of Letters Patent to be issued by the King. It is fairly engrossed and appears to be a draft of a grant of Restitution, wanting nothing but the royal attestation which it manifestly never received. Its preamble describes the liberties as still in the King's hands and makes the interesting statement that they had been forfeited "in accordance with a Statute of King Edward III.," the same which had been produced against the citizens at Thetford in July, 1441.³ The King grants restitution of liberties at the urgent request of Walter Bishop of Norwich and William de la Pole Marquis and Earl of Suffolk⁴ "our most dear kinsman." The constitution as settled by King Henry V. is to be altered in the direction of the above petitions. There are to be 12 Wards which are specified by name. These very names occur in a Chamberlains' Account in the summer of 1446,⁵ so that this part of the scheme had been already carried out, perhaps only for fiscal purposes. There were also to be 12 Aldermen "placed in" the 12 wards. The number of Common Councillors is fixed at 48 and there are to be 24 Constables, two in each ward. As to elections, the Mayor was to be chosen on 1 September and enter on his office at Michaelmas. The outgoing Mayor, Sheriffs and Aldermen were to choose two of themselves, of whom the Councillors and Ward Constables were to select one. The Sheriffs were to be elected on the same day as before, the Mayor and Aldermen choosing one, the Councillors and Constables the other. For the election of Common Councillors

¹ Wetherby himself died in 1445 and was buried in the Austin Friars' Church. *Bl.* IV. 89. ² No. XLVI. ³ See p. 325.

⁴ Walter Lyhart had been chaplain to Lord Suffolk.

⁵ *1st Chamberlains' Book*, 24 and 25 H. VI.

and Constables, each Alderman was to convene the citizens of his ward by themselves on the Monday after the Epiphany, when they were to choose four Councillors and two Constables in each ward, the names to be delivered to the Mayor by the Alderman within eight days.

3. In November, 1447, the Liberties were restored. Why these reforms were not then directed it is not easy to see. The Writ of Restitution¹ makes no mention of reforms at all. Perhaps the Privy Council were too much occupied in more important matters. Early in 1448 the Marquis of Suffolk was created a Duke, but very soon afterwards his popularity and influence began rapidly to decline. National affairs, especially in France, took a disastrous turn, and the chief blame was thrown on him. He was impeached, condemned, and banished at the beginning of 1450, and on his way to Flanders was seized and murdered, and his body was cast on to the Kentish shore. In October of that year Judge Yelverton, who belonged to a Norfolk family, and had been appointed Recorder of Norwich, when Heydon was removed in 1433,² was sent down to Norfolk³ to hold Sessions of Oyer and Terminer there with the special mission of checking the notorious disturbances of the peace in the county. Heydon and Tudenham were indicted on numerous charges,⁴ and, though their mischievous influence was not entirely annulled,⁵ the municipal affairs of the city were left undisturbed. Sessions were held at Norwich and other places in Norfolk throughout 1451,⁶ at many of which Yelverton sat as Judge, and, apparently, used his influence to protect the citizens of Norwich.⁷ He was sitting at Norwich in September, and in March, 1452, he personally assisted in the final settlement of the relations between the Corporation and the Gild of St. George. We may with some confidence, therefore, conclude that to his influence was due the form of the royal Charter of 1452, which formed the culminating act in the civic revolution inaugurated in 1404.

4 *The Charter of 30 Henry VI.*

The Charter⁸ which is dated 17 March, 1452, commences

¹ No. CCCXII.

² He acted for several years. Probably the office was suspended during the forfeiture.

³ *Paston Letters* I., 157, 165, 178, etc.

⁴ See Nos. CCCVI., CCCVII. ⁵ *Paston Letters* I., 198.

⁶ *Paston Letters* I., 123 ⁷ *Ibm.*, 211, 226. ⁸ No. XXI.

with a grant of Pardon to the citizens for the offences by reason of which their liberties had been forfeited. They are then declared to be reinstated in all their former customs and privileges. The King next grants them what seems to be intended as a new privilege, the right for their Recorder to declare their liberties and customs *by word of mouth* before him or his justices as the Recorder of London does. Reference is then made to the judicial powers granted by the Charter of King Henry IV., empowering the citizens to hold sessions of Oyer and Terminer through the Mayor and four "probi homines" on matters cognisable by Justices of the Peace of Labourers and Artificers. Various doubts and differences of opinion having arisen as to "obscurity and interpretation of terms," the citizens had humbly petitioned that the King's will in this respect might be declared. The King, therefore, extends the Court so that it should include the Mayor, the Recorder, and all Aldermen who have served as Mayor, so long as they continue to hold the office of Alderman. After that the whole field of the jurisdiction of the Court is described in minute detail,¹ concluding with power to enquire into every article which either then was, or thereafter should be cognisable by Justices of the Peace. Finally the King grants the citizens leave freely to appoint all sub-officials.

Considering the character of the troubles which this charter was intended to compose, and comparing its contents with the remedies suggested in the petitions to Lord Suffolk, and in the draft of the rival charter which was so nearly issued, we cannot help observing that its omissions are as significant as its contents. Not a word is said about reducing the number of Aldermen or of dividing the wards into smaller districts, each with its own Alderman and Wardmote. This feature of the London system was not favoured by the party under whose influence the charter was drawn. Another curious omission may be noticed on a point which the petitioners had urged, viz., the definition of the boundaries of the County of the City. Possibly, acting under Judge Yelverton's advice, it was thought wiser for the citizens not to press the question at the risk of provoking fresh quarrels with their powerful neighbours. The old sweeping claims of suburban jurisdiction were still repeated. But another 100 years were to elapse before they could be translated into topographical definitions.

¹ This part of the Charter is the full Commission of the Peace as issued at that time.

One more omission is perhaps the most significant of all. We remember how the charter of 1404 had granted the re-organised civic constitution to the "citizens and commonalty," and how the introduction of the latter term had been resented by the ruling body as hindering their authorised control over the city. In the Charter of 1452 the word "commonalty" never once occurs. The whole of it is addressed to "citizens" only. Even where the former grant as to holding Sessions of the Peace is referred to, it is spoken of as made to the "citizens," whereas it was really made to the "citizens and commonalty."

From these various considerations we must conclude that the Charter was designed to strengthen and solidify the authority of the ruling body on the lines which they themselves desired. The change which the charter of 1380 had first inaugurated was now complete. There was no longer a community of equal citizens from which all authority was presumed to spring. Apart from that somewhat vague entity, there was now firmly established a strong governing body which, though in name elected by the whole body of freemen, yet (when once elected) sat for life and derived its administrative authority rather from the Crown than the Community.

5. *The Corporation and St. George's Gild.*

Ten days after the date of this charter, on 27 March, Judge Yelverton arranged a sort of union between the Corporate Body of the City and the Gild of St. George. It was manifestly part of the general civic settlement effected at this time. Its exact intention and significance are not easily appreciated. Blomefield¹ says, "By mediation of Judge Yelverton the *disputes* between the gild and the city were settled." The Indenture itself does not mention disputes. It only speaks of the agreement being made "by the *mediation* and diligence of William Yelverton." The terms of the agreement with which we are here concerned are the following²: (1) that on the morrow of St. George's day (24 April) the outgoing Mayor of the city, who would vacate his office the following June, should be appointed Alderman of the Gild for the year following his Mayoralty; (2) that all City Aldermen should always be made Brethren of the Gild "without

¹ *Hist.* IV., 348.

² The Agreement is given in *Norfolk Archaeology* III., 328. It will be considered with the history of the Company in our next volume.

c. *Selected Records of the City of Norwich.*

charge of the feast"; (3) that every one elected to the Common Council of the City should be admitted a Brother "if it lyke him." It is significantly added that therefore "no man be chosen to the seid Common Council but such as are and seme for be able and sufficient of discrecion and good disposition"; (4) that if an Alderman or Common Councillor be removed from his office he should be discharged of the Gild, and *vice versâ*, if any Brother was discharged of the Gild for any offence, notice should be given to the Mayor "in the Common Council of the said City," and the offender should forthwith forfeit his citizenship. Every person on admission to the Gild was to take an oath of obedience to the Alderman of the Gild, with the reservation that it bound him to nothing contrary to "the laws of God or of the land, or against the liberties, franchises, welfare, good peace and rest of the City." It is observable that although the City Aldermen were all to be members of the Gild, they are not mentioned as parties to the agreement. The Indenture is between the "Mayor, Sheriffs, and Commonalty of the Cite of Norwich on the one part, and the Aldermen and Brethren of the Gylde of the glorious Martyr George of the said Cite of the other part." It seems to be taken for granted that as between the City Aldermen and the Gild such an agreement was already pre-existing. This reminds us of the accusation brought against the "24" by the complainant Commons in 1415 that they were interbound by oath, for mutual support, with the Company called the "Bachelerie." The same Society had been complained of by Wetherby's party at the time of the Gladman riots. This would imply the continuance of the confederate action, yet we hear no more of the Bachelery. Can it be that by Yelverton's influence it was absorbed in the Gild of St. George, which was not only an authorised gild, but possessed a royal charter, and was therefore much more capable of affording to the ruling body the external strength which we must suppose was the object desired. Further investigation of the books of St. George's Company may possibly explain more definitely what the promoters of this scheme hoped to effect. At present we can only conjecture that they may have had a two-fold object in view. First, the ruling confederacy would be strengthened by the formation of a closer union between themselves and the Common Councillors who would be drawn by the double bond of a religious oath and an increase of social dignity. The Common Councillors were no democratic body. They were bound to be

substantial men and not craftsmen whose admission might be "to the dishonour of the City and the Gild of St. George."¹ They would in many cases belong to the now rising middle class, and for the sake of the honour of membership of the Gild would not mind the burden of being called to serve as "feastmakers." Thus the union of the "Court" and the "Commons" would be secured by religious sanction and social fellowship. In the second place, this extended city aristocracy would be brought into union with the highest class in the adjoining county. The Gild already included many of the neighbouring nobility and gentry. It was now provided that henceforth no one dwelling out of the city should be admitted into the Gild but a knight or a squire, or a gentleman by birth or for some notable cause worthy of admission.

One more change marks this period. In 1450 it had been ordered² that every newly-admitted citizen should be entered as of some specified craft or occupation. As all the crafts were now under the ultimate control of the Mayor and Aldermen, this would tend to simplify the control of the governing body over the whole city.

6. *The Municipal Constitution at the close of the Fifteenth Century. Wards, Aldermanries, Constables.*

Nine years after the grant of King Henry's Charter Edward IV. became King. At the close of the first year of his reign, on 10 February, 1462, he granted the citizens a Charter of Confirmation,³ reciting by Inspeximus all former Charters, with one exception, that of 5 Henry V. It is chiefly interesting for the method in which the charters are grouped. It begins with the Charter of Henry II., which is here recited for the first time since its original grant. It then takes that of 3 Richard II., which includes all others up to that time. Then comes that of 5 Henry IV., and finally that of 30 Henry VI. just described. Two days later, 12 February, he granted another charter,⁴ re-enacting in his own name the provisions of the omitted charter of 5 Henry V., without mention of the name of its previous author. One important alteration is made. The franchise for city elections is extended from citizens dwelling in the city to those who are dwelling in the suburbs and hamlets.

¹ See No. CCXXVI.

² *O.F.B.*, fol. lii. d. *Rye Freemen of Norwich*, p. iii.

³ No. XXII.

⁴ No. XXIII.

With the exception of a Charter¹ in November, 1482, granting the citizens two "Free Martes" or fairs, this closes the municipal history of the city during the fifteenth century. It remains to gather up from existing records some information as to the way in which the system of government now fairly completed was being worked during the second half of the century. This leads to the subject of *Wards, Aldermanries, and Constables*. We have noted that the abolition of the existing four old divisions and the substitution of 12 or 24 smaller Wards under separate administration as suggested by one party in the city was not carried out. The old four Wards continued to be the basis of all administrative organisation. But as under the Bailiffs the four great Leets were for certain purposes subdivided into 11 (and afterwards 10) subleets, so within this main organisation of the four great Wards, and subordinate to it, we find established in the latter part of the fifteenth century a subdivision into 12 smaller districts. They are not usually described by any descriptive title. But sometimes they are called "Aldermanries," and occasionally, even so early as 1461, "12 wards."² The first of these two titles would seem to indicate that they were formed to suit the number of 24 Aldermen. But no such ordinance is to be found, nor is there anything at first to show any special connection between them and the Aldermen. Before they became definitely connected with the Aldermen the ward subdivisions are rather mentioned in connection with "Constables," officials who figure prominently about this time in a manner which raises a suspicion that they were being put forward as a counterpoise to the rising power of the Aldermen. In addition to these points of enquiry we have also to consider whether these ward subdivisions were adaptations of the former set of subleets or a new and independent institution. To appreciate our evidence we must go back to the early part of the century.

7. By the Composition of 1415 the 60 Common Councillors, though chosen by the freemen of the four great Wards, were distributed according to the then existing subdivisions, which were the 10 subleets as named in the Leet Roll of 1391.³ The "24" had no connection with the subdivisions, but were to be chosen as before, six for each great Ward. When, by the Charter of 1417, the 24 have the name "Aldermen" granted to them, nothing is said about any change in their mode of election. As to

¹ No. XXIV.² No. CCXXV.³ No. XLVIII. 1, p. 130.

Constables, in 1415 there were 16, eight of whom were to be elected by the Mayor and the Twenty-Four, and the other eight by the Common Councillors. Now, in 1414, the Assembly decided that a Common Assembly should include "all kinds of Constables."¹ No other constables are met with except these 16 (afterwards 24). We are led to ask, Who were they? There seems no reason to doubt that they were the successors of the Leet Constables, the officers of a Hundred ordered first by the Royal Writ of 1252, afterwards by the Statute of Winchester in 1285.² From 1252 till 1285 Norwich seems to have had but one Constable (see p. 211, n. 1), but it must have obeyed the later order by having four, one for each Leet. Their duties were to keep the peace and to see to the efficiency of the Militia organisation. We find such a Leet Constable in the Leet Roll of 1288,³ and we gather from the same Roll that each of the subleets, then 11 in number, had a sub-constable. They were popular officers chosen at the Leet Courts. In the next century we meet with them again, in 1355, in some Militia Rolls.⁴ The subleets were then reduced to 10, and instead of sub-constables they each had a Constable.⁵ It must have been these Leet Constables who are spoken of in the Composition of 1415. But in that case, how came there to be 16, seeing that the old 10 subleets continued to exist for that purpose down to, at least, 1698?⁶ A reasonable explanation may be suggested. The change was probably due to the County organisation introduced in 1404. The new Sheriffs were authorised at once to hold their tourns. They summoned a court with a jury from each great leet or ward, and, it would seem, required four constables to act for each. In 1421, on 3 May,⁷ 16 constables were chosen in the Assembly, four each for Conesford, Mancroft, Wymer, and Ultra Aquam. The divisions are here neither called leets or wards, but on 19 March the same year two constables had been chosen for the *leet* of Wymer. On 3 May, 1423,⁸ when 16 were again chosen, we find traces of the subleets still being recognised, for two of the constables are chosen for Conesford, two for Berstrete, four for Mancroft, four for

¹ No. CXCIH.

² The Writ of 1252 ordered a Chief Constable in each Hundred. The Statute of 1285 ordered two Constables. ³ p. 357, n. 4. ⁴ p. 391, etc.

⁵ On the possible connection of this change with the need for better organisation of the local Militia, see preface to "*Militia*," Introduction, p. cxliv.

⁶ *Leet Jurisd. in Norwich*, p. 100.

⁷ Assembly Roll, 3 May, 9 Hen. V.

⁸ No. CCHH.

Wymer, two for Coselanye, and two for Fibrigge. On 14 July the previous year the old system and the new are curiously combined.¹ A general call was made on the citizens to clean the river, and "the constables of each *ward*, each in his own *leet*, are to warn all persons, etc." Here a "leet" seems to mean a subdivision of a "*ward*," as in the entry last quoted. We may easily detect what was being done. The subleets were being utilised where possible. In each of the two Wards of Conesford and Ultra Aquam there were two subleets,² each returning one constable. Each of these subleets was now called upon to return two instead of one, or perhaps more probably the Assembly named two instead of one for each subleet, and the proper number of four for each of these two wards was thus obtained. But Mancroft and Wymer Wards had each of them three subleets, an awkward number for the purpose. Four constables were therefore chosen for each of these two wards as a whole, its subleets being ignored.

8. The systematic division of the four wards into 12 subdivisions, three to each ward, seems, as far as our records show, to have coincided with the period when the liberties were forfeited between 1443 and 1447. We have already noticed the mention of such an arrangement in 12 subdivisions (though the Wards are not there noticed) in a Chamberlain's Account of 1446. The most detailed statement is in a document of probably the year 1453³ connected with the assessment of a Tenth and Fifteenth. "The City of Norwich," it says, "is quadripartite in four wards." Then a detailed account is given of each ward as subdivided into three "Aldermanries." Another list of 12 Aldermanries, apparently of the year 1451, is also found referred to in a document of 1481.⁴ It is curious that the list of 1451 (if correctly assigned to that date) contains the names which were afterwards permanently attached to the subdivisions, whereas several later lists vary considerably in some of the names. As late as 1481, and even 1496, the subdivisions are called "Aldermanries,"⁵ but the title "wards" kept its ground, the old four wards being distinguished as the "four Great Wards," and the 12 as the "12 Petty Wards."

¹ No. CCI.

² The two subleets of Conesford were Conesford and Berstrete, those of Ultra Aquam were Coslanye and Fibrigge.

³ *O. F. B.* fol. clx. (more correctly clx.). An abstract is given in No. XLVIII. 5. See also No. CCXIX.

⁴ No. XLVIII. 4.

⁵ *Lib. Alb. Norw.* clxxvii., No. XLVIII. ; No. CCXXXII.

About the same time as the subdivisions were thus systematically organised the Constables who presided over them as military officials and guardians of order¹ were, as already remarked, advanced to a position of some importance in addition to their being included as *ex officio* members in a common assembly. In the Mayoralty of William Hempstead,² on the restitution of the liberties in November, 1447, a change was made in the mode of electing the Mayor and Sheriffs. Instead of all citizens, resident and willing to attend, nominating two persons for Mayor, it was ordered that this should be done by the 60 Common Councillors and the 24 Ward Constables. So also these two bodies in 1456 chose one Sheriff, the Mayor and Aldermen choosing the other.³ On 29 April, 1456, it was discussed whether this system should continue and it was decided that it should.⁴ But after 8 September, 1462, we find the second Sheriff chosen by the Commons only, and there is no further mention of Constables assisting in elections.⁵ They are, however, associated with the Councillors in 1466 in advising as to the perplexing question of the seizure of John Paston's house and goods.⁶ On 1 May, 1462, for the election of Mayor, the old system was revived in consequence of the Charter of 1 Edward IV. (12 February). From this time the Constables ceased to be the principal officials of their districts⁷ and became subordinate to the Aldermen. This transference of authority had taken place before the end of the century as a comparison of two records may show. In 1422 the cleansing of the river had been committed to the supervision of the *Constables* of the Wards and Leets.⁸ In 1496 the similar work of cleansing the streets is entrusted to certain citizens in each Aldermanry "with the *Alderman* of the Ward." After this century the Constables drop into an inferior position as police officers under the control of the city magistracy. The Ward Aldermen become the intermediaries between the central authority and the smaller administrative divisions. But it is necessary to remember, as has already been more than once remarked, that the Norwich Alderman never took the position occupied by a London Alderman in respect of his "Aldermanry." When, after the Reformation, the Corporation

¹ See the Constables' Charge, No. XLVII. 7. ² No. CCXVIII.

³ Assembly, 8 September, 35 H. VI. ⁴ No. CCXXI.

⁵ No. CCXXV. ⁶ No. CCXXVIII.

⁷ In Lynn the corresponding divisions were called "Constabularies" till 1835.

⁸ See No. CCI.

became trustees of many charitable endowments, one of the two Aldermen of a small Ward administered those specially belonging to his Ward. Any requisite local supervision of a special kind was committed to them. But they held no separate courts in their Wards. The corrective jurisdiction was always exercised by the whole body of Aldermen for the whole city.¹

Duties of the Municipal Officials in the Fifteenth Century.

1. We may close our review of this period by a brief reference to the series of oaths administered to the various city officials, as recorded in the *Norwich Liber Albus*.² They may be compared with the similar series preserved in the *Liber Albus of the City of London*. They enable us to ascertain the principal duties which each official was expected to perform. They are entered in rather a confused way with several alterations of various dates. Blomefield,³ therefore, who gives them in full, assigns them to the close of the 15th or beginning of the 16th centuries. It is clear, however, from the position assigned to the Constables, together with the absence of any Alderman's oath, the language of the Sheriff's oath, and other indications, that their general features are those of the city constitution as it stood not later than the Charter of 1452.

It is noticeable that out of some 16 official oaths, only two are identical with the similar oaths administered in London. These two are an oath assigned to the Mayor⁴ and the oath of the Common Councillors.⁵ The rest differ so much in language and even in form that they cannot be called copies of the London oaths. This is remarkable considering how largely the Norwich constitution, as remodelled in the 15th century, was based on the practice of London.

2. The legislative body in Norwich, the *Common Assembly*, was composed of the Mayor, Sheriffs, Aldermen and Common Councillors. It is only in the case of the Common Councillors that the duties of the deliberative Assembly are mentioned. The Councillors [1]⁶ are to swear to be true to the King, to attend when summoned to the common counsel of the city, and not to leave till the Mayor and his brethren (the Aldermen) depart. Connected chiefly with the Assembly were two officials, one, the *Common Speaker*, [2] who is to act faithfully in the

¹ The Municipal Commissioners, 1834 (Report IV. 2463) say, "Aldermen who have not passed the chair are Justices for their own Ward only. Two different opinions of Judges have been given as to whether for their own Great or Small Ward. *In fact they never act at all.*" ² No. XLVII. ³ *Hist.* III. 183—191.

⁴ *Lib. Alb. London*, p. 306.

⁵ *Ibm.*, p. 41.

⁶ These are the numbers of the Oaths as given in No. XLVII.

Assemblies as the mouthpiece of the Common Councillors, and also at elections of Mayors and Sheriffs, in which he is not to hinder the Commons of their free election. This seems suggested by the disastrous election of 1st May, 1433. The other was the *Common Clerk* [3] whose duty it was to record the business of the Assembly, to draw up the warrants authorised by it, and, though this is not specified, to superintend the enrolment of deeds and recognisances in the City Court Roll. He also in some way acted as Clerk of the Peace and the Escheatry. In short, it would seem that he had to record the business of the Assembly, the Sessions Court and the Mayor's Court, and any business that devolved on the Mayor as King's Escheator.

3. For governing and administrative purposes the city officials were grouped in three departments under (A) the Mayor, (B) the Sheriffs, and (C) the Treasurers or Chamberlains.

(A) 1. The *Mayor*.—He was supreme in all departments. But the special view of his office taken in his oath [4] is that of a Chief Magistrate responsible for maintaining the laws and liberties of the city, keeping the general peace and order, carrying out regulations with regard to food for the good of the community, correcting and redressing defaults, and seeing that all alike received equal justice. He was further by virtue of his office the King's Escheator [5] and was bound to protect the King in his rights and reveal to him or his Council any danger of loss or dishonour. It is curious that two oaths are given in the Norwich series, one relating simply to the Mayor's duty to the Community, the other emphasizing first his duty to the King. The latter is headed "The Mayor's Charge for the Escheatry." It is this which occurs also in the *London Liber Albus*, where it is simply called "The Oath of the Mayor." As the Mayor of Norwich had to take an oath to a deputy of the King it is manifest that the longer form must have been then used. Perhaps the shorter oath was also taken in the Assembly.

(A) 2. The *Aldermen*.—The Aldermen were the Mayor's immediate assistants. It is in their case, as already noticed, that the principal difference lies between the municipal systems of London and Norwich. In the London Alderman's oath his duties are specially connected with the governance of his own Ward. In the Norwich series there is no Alderman's oath entered. They are referred to in the other oaths only as the Mayor's brethren, or his fellows in the government of the city. The oath used at this time must have been that which formed part of the Tripartite Indenture of 1424 which was addressed to the Mayor and the body of Aldermen, and expressed the duty of obedience to the Mayor and to the will of the majority of the Aldermen. In relation to the rest of the Community they were now regarded as a distinct governing estate.

cvi.iii. *Selected Records of the City of Norwich.*

(A) 3. The Mayor's ministers are here called the *Mayor's Sergeants*, [6] who were bound to serve him truly. Their duties largely consisted in overseeing the markets of all kinds of victuals and seeing that all the regulations were being carried out. They acted also as the Mayor's summoning officers to the Common Councillors and others.

(A) 4. The *Ward Constables* [7] at this period are also regarded as specially subordinate to the Mayor. He charges them on behalf of the King to see to the peace and order of their respective wards, to stop all unlawful congregations, to arrest all offenders or suspicious persons, to see to the keeping of watch and ward and to execute all the precepts of the Mayor.

(A) 5. The *Recorder* [8].—This official was the legal adviser of the Mayor and Aldermen in carrying out their magisterial duties, and was *ex officio* a Justice of the Peace. He was to give good counsel to the Mayor and Aldermen "in use and execution of governance of common right"¹ in the offices of Mayoralty, of Justice of the Peace and of the Escheatry.

(B) 1. The *Sheriffs* [9] were, under the Mayor, the heads of the judicial department of city administration, and in that respect were specially regarded as officers of the King. They served the King's writs as well as the Mayor's warrants. They were also responsible for the payment of the fee farm rent. They are enjoined to be impartial in the judgments and execution of the verdicts of their courts, and great stress is laid on the duty of dealing fairly in appointing juries at their tours. This part of the oath is almost identical with a resolution passed in the Assembly in 1422.² It is probable that much of the judicial business of the Sheriffs here indicated passed away from them to the Courts of Quarter Sessions after 1 Edward IV. (1461).

(B) 2. The *Under Sheriff* [10] acted as the Sheriff's clerk, making entries, records and returns.

(B) 3. The *Sheriff's Sergeants* [11] executed plaints or received them to present to the Court, and served distresses and warrants. They were bound to deal fairly in summoning juries, and prohibited from making up disputes out of court.

(B) 4. The *Attornies* [12] in the Sheriff's Court were sworn officials, or rather ministers, of the Court. They were bound to give true counsel to clients, to be obedient to the Sheriffs and the Court and to attend all Courts of Oyer and Terminer, of Gaol Delivery and of Quarter Sessions.³

¹ This phrase is taken from the Composition of 1415. See p. 101.

² p. 278.

³ The Oath in which this title is used is in a later hand than some others, perhaps of the time of Hen. VIII. It is curious that the title is not found in the Sessions Books till very much later.

After 1520 a Steward was appointed to be the legal adviser to the Sheriffs, as the Recorder was to the Mayor. The oaths are prior to this change.

(C) 1. The *Treasurers* [13], or *Chamberlains*.¹—The Chamberlain was the head of the city business which dealt with the common property and with the receipts and expenses of the Community as distinct from the income which went to the Sheriffs towards the payment of the fee farm rent. They were charged to be true to the Community, to make search twice a quarter with the supervisors, or at least, with the Clerk or Common Sergeant, to enter the week's cost every Saturday and the same day to pay all workpeople in money, not in goods.

2. The *Common Sergeant* [14] was the Chamberlain's minister in collecting rents and distraining defaulting tenants at the end of every quarter.

(D). The *Citizens* [15].—Every citizen on admission was bound by a solemn oath which was addressed to the Mayor, Sheriffs and Common Council. He was to maintain the liberties of the city, to abstain from fraudulent dealing in paying tolls and customs, to be "buxom" to the Mayor and other governors of the City, to pay taxes and serve offices as laid upon him.

(E). Two other oaths remain. The *Coroners* [16] though elected in the Assembly, were still officers of the King as much as of the Community. Besides inquests on persons found dead, appeals, exigents and outlawries are mentioned as still coming before them. In all cases, the records they made were to be delivered to the Chamberlains, perhaps because some of the fees or fines went to the Community.

The *Masters of Crafts*.—These were to rule their various crafts according to the city by-laws. They were subordinate to the Mayor, but hardly count as city officials. Their office belongs to the subject of city trade.

VIII.—Subsequent History, 1482 to 1835.

1. *The City and the Priory.*

The constitution of the Government of the City was now practically established in the form which was preserved till the Municipal Boroughs Reform Act of 1835. The chief difficulties which remained to be solved were the relations of the citizens with the Prior in respect of his exempt jurisdiction, and the

¹ There was some distinction in early times between these officials (see p. 73), but at this time they seem to be identical.

definition of the boundaries of the lands over which they should exercise jurisdiction as administrators of a County.

King Henry VII. issued only one Charter¹ to the citizens, and that not until his nineteenth year (1504). It is only a Charter of Confirmation. It recites, by Inspeximus, (a) the Charter of 10 February, 1 Edward IV.; (b) that of 12 February 1 E. IV.; (c) that of 22 E. IV., and then follows the King's own confirmation of all the privileges and liberties therein included.

King Henry VIII. granted three Charters, and they all relate to the settlement of the disputes between the citizens and the Prior. After many complaints² on both sides, and some attempts at mediation, the matter was at last taken in hand about 1517 by Cardinal Wolsey in conjunction with other influential men. Even then it took several years before a final agreement was established. A Composition³ was at length agreed to on 26 August, 1524, and signed in the Assembly on 2 September. The general result was that the citizens resigned all claim to jurisdiction within the Priory walls, and, on the other hand, the Prior resigned all his claim to jurisdiction outside those walls. So also the citizens resigned their right to commonage and pasturage on the Prior's land at Eton and Lakenham (as given them by the Fine of 1205, when the Prior had license to enclose 40 acres of land), and in return the Prior and Convent agreed to allow the citizens to enclose 80 acres of land. On 24 October the King granted a Charter⁴ confirming this Composition in respect of the 80 acres of land, and on 1 June, 1525, he granted a further Charter,⁵ which sanctioned the arrangement with regard to the jurisdiction to be exercised by each party.

In this Charter were added two clauses unconnected with the Prior. One directs the procedure to be followed in case of the death or removal of a Mayor or Sheriff during his year of office. The other confirms the magisterial authority of the Recorder, Steward, and other Justices of the Peace. Perhaps this clause was obtained because the Steward was a new official recently appointed in 1520 to be Judge in the Sheriff's Court.

King Henry's third Charter⁶ was necessitated by the progress of the Reformation. On Trinity Sunday, 1538, the Prior and

¹ No. XXV. ² See Blomefield, *Hist.* III., 175-8.

³ It is printed in *Town Close Evidences*, 50-64; Blomefield III., 195, etc.

⁴ No. XXVI. ⁵ No. XXVII. ⁶ No. XXVIII.

Convent of the Cathedral Monastery had been converted into the Dean and Chapter. By an order of 28 May, 1528, the Priory Precinct had been severed from the County of Norfolk and the Hundred of Blofield, and made parcel of the City of Norwich, saving the rights within the walls guaranteed to the Prior and Monks by the Composition of 1524. The new Dean and Chapter were now made parties to the former arrangements made by the Prior and Convent. This was authorised by Royal Charter on 6 April, 1539, and on 10 April an Indenture was signed between the parties specifying certain mutual undertakings by way of carrying out the intention of the Composition.

The only Charter granted by King Edward VI.¹ was occasioned by the occurrence of Kett's Rebellion in 1549, by reason of which the City had suffered much damage, and its municipal business had been interrupted. When Lord Surrey came to suppress the rebellion he took the city into his own hands as the King's Commissioner, and it was afterwards necessary to have their charter of liberties renewed. He left Norwich on 29 August,² and on 14 November a Charter of Confirmation was granted, reciting the Charters of 19 Henry VII. and 17 and 30 Henry VIII. The citizens were then authorised to elect two Sheriffs and resume the exercise of their other liberties.

2. *Definition of the Boundaries of the County of the City.*

The suppression of the Religious Houses and the confiscation of their property which accompanied the Reformation must have helped to facilitate the settlement of the only other remaining difficulty which had beset the Corporation. This was the question of suburban jurisdiction. Their rivals, who claimed it, were exclusively ecclesiastics.³ As soon as they were removed and the unsettlement of Kett's Rebellion had passed away, the citizens seem to have set themselves to get the extensive boundaries suggested by the Charter of King Henry IV. turned into reality. Before King Edward died in July, 1553, a still existing document⁴ had been drawn up defining the boundaries of the County of the City. It was not executed at that time. But not very long

¹ No. XXIX. ² Neville *De Furoribus Norf.*, p. 154.

³ It is perhaps not altogether unnecessary to observe that at no time had religious controversy any share in these disputes. The sole question at issue was as to which of the disputants should enjoy the profits of jurisdiction over the debated lands.

⁴ Case 9, *shelf* i.

afterwards, on 1 April, 1556, a Royal Charter¹ was granted in the joint names of Philip and Mary, by which these boundaries were minutely and distinctly traced out. It will suffice here to say that the ample language of the original Charter was more than realised. All the disputed hamlets and the whole of the district surrounding the city for a mile or more in every direction were henceforth separated from the County of Norfolk and included within the County of the City of Norwich. Thus a long-standing occasion of controversy was at last removed.

3. *The Seventeenth and Eighteenth Centuries.*

During the reign of Queen Elizabeth nothing occurred of municipal interest worthy of notice in the present sketch. In the reign of King James I. it appears that disturbances had arisen at the election of various officials. In 1619, therefore, a Royal Order,² by advice of the Privy Council, was made directing certain alterations in the election of Mayors and Aldermen. For the future the new Mayor was always to be the senior Alderman who had not yet served. This was the practise in the City of London, and two Justices of Assize, before whom the matter had been brought, had so interpreted the Charters of Norwich. For two years following some of the leading citizens, not unreasonably, resented this order as an interference with their proper liberties. But they were bound over, under heavy penalties by the Privy Council, to cease from their action, as being "disturbers of orders and contemnners of the King's directions," and in 1621 the Assembly submitted. At the same time they agreed that when an Alderman was to be elected, instead of the freemen of the Ward electing a new one, the Mayor and Aldermen should propose to the citizens of the Ward four persons among those who had served as Sheriffs, and the citizens should "choose those of most ancient rank." This Order limited the ruling body exclusively to those who were capable of holding the burdensome office of Sheriff, and, even then, the appointments merely went by seniority. Popular selection was almost eliminated. By the Charter of King Charles II., 42 years later, a return was made to the earlier and freer custom.

The growing controversy between the King and the Parliament,

¹ No. XXX. On p. 45 the date is given by error as 6 July. At the close of the Charter (p. 47) "in the second year of our reigns" should be "second and third year," i.e., the third year of Mary, second of Philip and Mary.

² Blomefield III., 368.

which marked the reign of King Charles I., caused much party feeling in Norwich as elsewhere. The latter party was notoriously strong throughout the Eastern Counties. On 2 March, 1642, a Royalist Mayor, William Gostlin, was seized by the Parliamentary Major-General of the Eastern Association, and carried prisoner to Cambridge.¹ Royalist Aldermen were next removed, and all freedom of election was practically superseded. In 1649 a recalcitrant Mayor, John Utting, was ordered up to London, and the "Commons assembled in Parliament," without going through the form of seizing the liberties of the city into their hands, appointed Christopher Baret in his place, which caused a somewhat serious riot in the city. Nothing further occurred during the Commonwealth.

4 On the restoration of King Charles II., in 1660, the citizens made haste to ingratiate themselves with their Sovereign by an act of generosity, which perhaps they surmised would otherwise be demanded for a less dignified reason. The Parliamentary Government had persuaded them (we can hardly think of their own free will) to purchase at a capital sum their total fee farm rent of £132 18s. 3d.² They might feel sure that the restored King's Exchequer would not recognise this bargain, and so they at once cancelled the instrument and added a gift of £1,000 to the King. On October 13th they were authorised by the Council to act on their former Charters. But the following year they petitioned for a new Charter, which was promised. In 1662, under instructions issued through a general Act of Parliament, they removed four Cromwellian Aldermen, with consent of a Royal Commission, and replaced them by four others. The Charter³ was granted on 26 June, 1663. It is noticeable for the difference between its form and that of the older Charters. It does not recite the former Charters and add the King's confirmation of the grants contained in them. It makes no special mention of any previous Charter. Commencing with an acknowledgment that the City of Norwich is "an ancient populous City and County of itself formerly incorporated by the name of the Mayor, Sheriffs, Citizens and Commonalty," and had, as such, enjoyed many privileges, the King confirmed to the citizens all their liberties and granted to them and their successors the free use of them all in

¹ Blomefield III., 383.

² Blomefield III. 403. Court Book.

³ No. XXXI.

as ample a manner as heretofore. Then (departing in this from ancient custom) the King, "for the better and more certain use and exercise of such liberties," constituted by name a Mayor, 23 Aldermen, a Recorder, a Steward, and a Common Clerk to exercise their several offices, as in time past. After this the powers of Justices of the Peace are granted as before, and it is added that an Alderman who has not been Mayor shall be Justice of the Peace "in that ward only for which he was chosen Alderman." It would appear from this clause that this power was now newly given. As we have seen, it was rarely, if ever, exercised. Some directions are given as to the election of Sheriffs and Aldermen, and also powers are granted for the regulation of Trade Companies. The Mayor and three Justices are authorised to hold a Court of Equity, and other City Courts are also mentioned.

The language of this Charter carries still further the theory which we marked in the Charter of 1404, and still more in that of 1452, that the authority of the rulers of the city was held to be derived from the Crown and not, as in older times, from the Community. The use of the official title is very curious for its variations. Thus if a man elected on the Common Council refuse to take the required¹ oaths and at the next Assembly to show good reason "to be allowed by the Mayor, Sheriffs, *Aldermen* and *Common Council* of the City or the majority of them, he shall be compelled to pay such fines for his contempt as the Mayor, Sheriffs, *Citizens* and *Commonalty*, or the major part of them, shall set upon him." Again, if a man refuse to serve as Alderman or absent himself too long without due excuse, he is to be fined by the "Mayor, Sheriffs, Aldermen and Common Council, or the majority of them, in some public Assembly." With regard to the companies and trades, the "Mayor, Sheriffs, Citizens and Commonalty, and the major part of them, with the consent of the Common Council, at any public Assembly, may make Laws," etc. Finally, as in the earlier Charters, the Sheriffs may hold their Court of Pleas "in the name of the Mayor, Sheriffs, Citizens and Commonalty." There seems to be only one explanation of these changes of expression. The body which deliberates and acts in a public Assembly is the personal gathering of Mayor, Sheriffs, Aldermen and Common Councillors. "Mayor, Sheriffs, Citizens and Commonalty" is a mere expression denoting the Corporate

¹ *i.e.* required by law on admission to an office.

Unit ("unum corpus") which has received the chartered authority. It fines offenders through the Court of Aldermen; it holds a Court of Pleas through its Sheriffs. In neither case does the Common Council, the supposed representation of the Commonalty, take any part in its action. And when it makes orders and regulations (again evidently through the Court of Aldermen) it lays them in an Assembly before the Common Council as a body distinct from itself. So entirely had the "Community," as apart from the ruling body, ceased to have any official authority.

5. The fate which subsequently befell this Charter was similar to that which many other towns experienced. In 1682, under pressure from the King, the citizens were persuaded, with great reluctance, to surrender¹ it to the King and receive a new one in its place. The new Charter² arrived on April 10th, 1683, and by it the King acquired the right to dismiss any official he pleased. Under this authority King James II., in 1687, ejected 19 Common Councillors and 10 Aldermen and put in nominees of his own.³ But the following year the King, alarmed at the feeling aroused by his tyrannical proceedings, ordered the restoration to all towns of the Charters under which they had been governed in 1679. The Charter of 1663 was therefore restored to the citizens of Norwich and constituted their title to self-government down to 1835.

After this very little of importance happened until 1729, when an Act of Parliament⁴ was passed for the better regulation of Elections in the City of Norwich. Besides directions as to previous residence of voters and taking the oaths, a remarkable provision was made. In the election of the 60 Common Councillors it was ordered that no more than three should be elected by the general body of freemen in each great ward. Within a given time afterwards these three in each ward were themselves to choose⁵ the remaining number assigned to that ward. The numbers continued to be as in 1415, so that the three "nominees" (as they were called) in Conesford and Over the Water chose nine others, the three in Mancroft chose 13 more, and the three in Wymer 17 besides themselves. Great efforts were made to secure the three nominees for one party or another, and the Report of the Municipal

¹ *Bl.* III. 417. ² No. XXXII. Now in glass case in Muniment Room.

³ Blomefield III. 423, gives the names. ⁴ 3 G. II. c. 8.

⁵ For a similar mode of election in 1414 see p. 274.

Commissioners of 1834 draws attention to the bribery and corruption which resulted from the practise.

In 1730 an important change was made in the mode of holding an Assembly. Hitherto all the members had sat together. Now the Aldermen began to sit in the Court or Aldermen's Chamber; the Common Councillors sat in the Council Chamber. The two Chambers communicated by writing and afterwards met and passed resolutions. This continued till 1835.¹

6. *The Municipal Reform Act of 1835.*

A few words will suffice to describe in Norwich the effect of this Act which imposed a new constitution on all the cities and boroughs of the kingdom. Norwich retained its County status with one Sheriff instead of two. Its Aldermen lost their magisterial authority and their predominance as a separate estate. Their number was reduced from 24 to 16. The number of Common Councillors was also reduced from 60 to 48. In the organisation of municipal districts the 12 small Wards were discarded; the four great Wards were made into eight, their ancient names being displaced and the numbers one to eight substituted. A bench of specially commissioned Magistrates holding quarter and petty sessions replaced the Court of Sessions and the Court of Aldermen. The franchise was extended from the Freemen (who numbered 3,460 in a population of 61,096²) to all rate-paying inhabitants.

7. *Redistribution of the Wards in 1892.*

During the 19th century a great change passed over the life of the City. Its bounds within the old walls became too small, and the population extended more and more into the suburban districts. A re-arrangement of its administrative divisions became imperatively necessary. This was carried out in 1892. The eight wards were altered into 16, containing with the hamlets a total population of over 100,000. As these electoral divisions were, as far as possible, based upon equality of population, we may conclude this sketch of the municipal history of Norwich with the not inappropriate observation that each of the 16 divisions of 1892 contained probably about the same number of inhabitants as the whole city did when it commenced its independent municipal life under the charter of Richard I. just 700 years before.

¹ *Mun. Comm. Rep.* IV. 2462.

² Including the outlying hamlets.

[The remaining Sections of the Introduction (IX. to XIII.) contain special explanatory notices of some of the principal series of Documents or Departments of Administration].

IX.—The Royal Charters.

The significance and effect of the various Charters granted from time to time by successive Sovereigns to the citizens have been already described in the foregoing "Historical Sketch." It will be sufficient, therefore, here to preface them with a few general remarks.

1. The Charter of Henry II.¹ (c. 1158) stands by itself. It belongs to the past rather than the future. It only guarantees to the burgesses the customary liberties which, in common with numerous other burghs, they had long enjoyed. It neither specifies their exact character nor adds any new ones. It is not even recited in any subsequent Charter till 1 Edward IV.

2. The Charter of 5 Richard I.² (1194) laid the first foundation of municipal self-government. By it the internal administration of the city was committed to the "communitas," or general body of citizens, on payment of a fee farm rent of £108. The acquisition of police jurisdiction,³ coincident with the substitution of Bailiffs for a Reeve (c. 1223), may be regarded as a complement of Richard's grant, for no other authority exists. All the subsequent Charters through the 13th and 14th centuries either merely confirmed existing liberties or enlarged and extended them without altering the form of the municipal constitution.

3. The Charter of 5 Henry IV.⁴ (1404) inaugurated a new era. By it and the supplementary Charters of 5 Henry V.⁵ and 30 Henry VI.⁶ a new constitution was established in the city. It not only became a County of itself with the addition of a new and superior jurisdiction. There was also established an official and distinct magistracy, or governing body, in whose hands, and not any longer in those of the whole community, the control and administration of the city rested. Even in deliberation the mass of the citizens thenceforth acted only by representation through annually elected Common Councillors. Subsequent Charters made no alteration in this constitution till 1835. Even the Charter of 15 Charles II.,⁷ though it makes no specific mention of earlier grants and is expressed in a style differing from that of preceding charters, only re-establishes what had existed before the disturbances of the Commonwealth.

4. With regard to the *form* of the Charters, the following changes

¹ p. xv.

² p. xviii.

³ p. xxvi.

⁴ p. lx.

⁵ p. lxix.

⁶ p. xcvi.

⁷ p. cxlii.

may be noted. The Charter of Henry II. is in general terms such as were suitable to many towns. That of 5 Richard I. follows a common form in use at the time and employed in several other cases. Each such case, however, has certain variations which may be attributed to local desires. King John and King Henry III. re-issue this same Charter in the same words, but each in his own name, without reference to any preceding grantor. The same practice is followed at a later time by King Edward IV., who on 12 February, 1462,¹ re-enacts the provisions of 5 Henry V. without any mention of his predecessor. So also Henry V. had taken the provisions of that Charter from the Composition agreed to amongst the citizens, but makes no acknowledgment of their origin.

The Charter of 13 Edward I.² begins the practice familiar to all students of municipal Charters of confirming, after "Inspeximus" and recital, the Charters previously granted. As the Charters increased in number this involved a long series of recitals. This would be easy to follow if the series were given in chronological order. But that is not the case. A few Charters are taken separately, and the rest are to be found inside these in a perplexing maze. The last but one³ of the Norwich Charters so compiled, that of 19 Henry VII.,⁴ will illustrate the disadvantage of this system. King Henry begins by stating "We have inspected a certain Charter of Edward late King of England the fourth in these words." He then recites the Charter of 10 February, 1 Edward IV. After that he recites the Charter of 12 February in the same year, which, as just stated, was the same as the Charter of 5 Henry V. He then recites the Charter of 22 Edward IV., and concludes by confirming in his own name the contents of all the Charters recited. This is the framework of King Henry's Charter. All the other Charters not here mentioned are contained in the recital of the first of these, that of 10 February, 1 E. IV. That Charter states that King Edward had inspected four Charters of his predecessors, those of (a) Henry II., (b) 3 Richard II., (c) 5 Henry IV., (d) 30 H. VI. This is Edward IV.'s framework included in Henry VII.'s. The second of Edward's recited Charters, that of (b) 3 Richard II., is the one which includes the Charters not yet mentioned. In it Richard II. had recited his own Charter of his 1st year, which had recited and confirmed six preceding Charters, those of (1) 5 Richard I., (2) John, (3) 39 Henry III., (4) 2 February, 19 Edward II., (5) 11 Edward III., (6) 19 Edward III. Again we have to dig out several missing Charters from one of these. They are in (5) 11 Edward III. There Edward III. inspects two Charters, those of 3 February, 19 E. II. and 33 E. I. Still one more piece of unravelling remains. The Charter of 3 February, 19 E. II., recites those

¹ p. ci.² p. xxxii.³ The last is that of E. VI.⁴ p. cx.

of 13 and 40 Henry III. Thus at last Henry VII. is found to have covered all the previous Charters. By this process we find that two Charters of Henry III. are included in one of Edward I., which is included in one of Edward II., which is included in one of Edward III., and that in Richard II.'s, and that in Edward IV.'s, and that finally in Henry VII.'s. With this wonderful complication we can well imagine that "our Charter of Liberties" excited the admiration of the citizens when it was produced.

5. It has been already observed that *local initiative* frequently had considerable effect on the form and contents of a royal grant. This is most strikingly exemplified in the case of the Charter of 5 Henry V., which authorised the settlement of the disputes which had arisen from the change of constitution in 5 Henry IV. This settlement in all its details had been drawn up and agreed to by the citizens themselves. King Henry only sanctioned the agreement. This "Composition" is a document of great importance in the municipal history of the city, and it is given in full among the Miscellaneous Documents which follow the Charters.¹

6. *Miscellaneous Municipal Documents.* After the royal Charters are printed some documents which have been referred to in the introductory sketch as illustrating various incidents in the progress of the city's municipal development. They are occasionally taken from the public records in London. But almost all of them are either separate documents surviving among the city muniments or are extracted from the *Book of Pleas*, the *Liber Albus*, and other repositories of miscellaneous evidences in which so much of the municipal history of the city is to be found. This series does not include those illustrative references which occur in distinct departments of city administration, such as Assembly Rolls, Court Enrolments, etc. These are given under their proper heads.

X.—The Custumal.

1. The Royal Charters of a mediæval town constituted the official right by which the citizens claimed to exercise their liberties. For that purpose they were produced in Courts of Justice, or in urging claims against rival communities. But the Charters seldom entered into details and definitions. Moreover, much of what was sanctioned, especially in early charters, was the exercise of local custom rather than royal ordinance. As municipal administration grew more complex it became advisable and even necessary for the townsmen to compile for their own use and guidance

¹ p. lxviii.

a body of customs approved of among themselves. Next in importance to the Charter of Liberties, as confirmed (generally) by the reigning Sovereign, was the "Custumal." These Custumals differed considerably in the various towns according to local circumstances, and the date at which they were first compiled. They often exist only in the form of a copy in some Book of Evidences, and bear marks of alterations and additions since the original compilation. Still they nearly always embody customs which had plainly been in use from a very early date, and it is probable that most towns of importance had put together such a Custumal or Code of important by-laws not later than the close of the thirteenth century.

2. That this was so in Norwich has recently been placed beyond doubt by the re-discovery of the lost Book of Customs.¹ The date of the commencement of that book may be fixed at c. 1308. The Custumal was the first document entered according to the original Table of Contents, and gave the book its name "*Liber Consuetudinum*." It follows that the whole of the 51 chapters there entered in the original writing must date from the very beginning of the fourteenth century. An examination of the document suggests that most of it was probably of a still earlier date.

It consists of 51 chapters fully entered. In the table of titles two more are added in the same hand, and a third in a later hand.² The contents of these three chapters are not given. Until the reappearance of the *Book of Customs*, the only known copy of the Custumal was the fifteenth century copy in the *Book of Pleas*, which is printed in this volume (pp. 132 to 199). Up to chapter 51 the two copies agree together. It will easily be seen that the greater part of the compilation has been arranged in a very methodical manner; (a) chapters 1-32 deal entirely with Legal Procedure, chapters 1-10 concerning Criminal and Police Causes, chapters 11-32 the Civil Pleas which would be tried in the City Court; (b) chapters 33 to 44 deal with Trade and Merchandise; (c) the remaining chapters are miscellaneous, and two of them (48 and 49) should, in a new compilation, have been included amongst the other chapters relating to legal procedure. This is still more true of the two chapters about well-known Writs of which the titles are given at the end of the list, but not the chapters themselves. It is likely, therefore, that the copy in the *Book of Customs* was mainly taken from a Custumal

¹ See *ante*, p. xxxix.

² This table of titles is carelessly written, the numbers being given incorrectly and the title of ch. 39 omitted altogether. The two titles added in the original hand are those numbered 54 and 52 in the *Book of Pleas* (see post, p. 136), and the title added later is the one there numbered 53.

put into shape in the previous generation, perhaps after the restitution of the liberties in 1285.¹

3. There are no characteristic features or enactments in the Norwich Custumal by which it may merit any special distinction as compared with the Custumals of other towns. Its range of subjects is somewhat limited. Great importance is given to the definition of the customs governing devises and inheritance of tenements, especially where there is joint possession of a man and his wife. Both in legal disputes and in trade regulations the main aim always kept in view is the strict equality of all citizens, the superior advantages to be accorded to a citizen as against a "foreigner," and denunciation of the unpatriotic conduct of those who attempt to carry their complaints anywhere but to the city court. In this connection perhaps the most noticeable feature of the Custumal is the title by which citizens are throughout described, "*pares*² *civitatis*." It is an assertion of equality which there is reason to suppose was becoming weakened even at the close of the thirteenth century, and contrasts strongly with the tendency which in the course of the fourteenth century led to the evolution of a ruling body, to the derogation of the rest of the community.

4. *The copy in the Book of Pleas.*³ The Book of Customs not having been recovered before the printing of the Custumal from the later copy in the *Book of Pleas* it is necessary to state how far the discovery of the earlier copy affects the value of the later. On the whole it may be said that the differences between the copies are far less than might have been expected. They are chiefly verbal mistakes of the later copyist. The *Book of Pleas* was compiled c. 1450. The initial "L" of *Leges* in the title omitted in the *Book of Pleas* is also omitted in the *Book of Customs*, doubtless for future ornamentation. But it does not follow that the fifteenth century scribe copied directly from the *Book of Customs*. As noticed already the three titles without chapters are entered in a different order, and there are certain verbal differences which are not errors. The chief point of evidence is that over the copy in the *Book of Pleas* is written "Framingham." This must be the name of an official who owned the copy from which the transcript was taken. This name is not in the *Book of Customs*. A Thomas de Framlingham (or Framingham) entered on the office of Bailiff at Michaelmas, 1337, just as Edward III. granted a Charter of Confirmation. The Custumal might well have been copied at the same time. If Framlingham's copy was taken from the *Book of Customs* and copied in the *Book of Pleas*, this would explain the only important addition. In the *Book of Customs* the title of chapter nine ends (very strangely) with "*usque ad*." "*Aquam de Breything*" is added in a later hand. In the

¹ See p. 138, n. 4.

² See p. 178, n. 2.

³ pp. 132 to 199.

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chapter itself the expression is "usque ad locum antiquitus usitatum." The matter, as we know, was settled in 1331 (See Nos. XXXVII. and LXXXV III.) and the mention of Breydon Water might be added after that time.

The following differences or corrections may be noted :

Ch. 1, l. 7. Read "secundum regni legem."

Ch. 4. The last three words "si principalis convincatur" are omitted.

Ch. 5, l. 3. For "homines" read "omnes."

Ch. 9. Omit "aquam de Breything."

„ l. 5. Read "ad quatuor cruces."

Ch. 10, l. 10. For "usque" read "lesi."

Ch. 11, l. 3. Omit from "et tunc" to "Regis."

„ p. 145, l. 1. After "somoniciones" omit all to "Quamquidem legem" and read "et vadiet legem quam."

Ch. 15, l. 4. For "in" read "inter."

Ch. 17, l. 13. For "capiatur" read "procedatur."

Ch. 18, l. 1. For "laicalliter" read "laicali."

„ p. 155, l. 5. After "legatum" insert "quatenus."

Ch. 20, l. 7. For "terminando" read "tantummodo."

Ch. 23, l. 3. For "facto" read "testamento."

Ch. 25, p. 164, l. 11. For "iiii" read "duos."

„ „ l. 12. For "duos solidos" read "iiii denarios."

Ch. 27, l. 4. For "defensione" read "disposicione."

Ch. 28, l. 7. After "quam" insert "ballivum." Omit from "et si" to "formam predictam."

Ch. 31, p. 170, l. 10. After "cayum" read "tempore piscali."

Ch. 32, l. 1. Omit "assisse."

„ p. 171, l. 2. After "existente" read "quia necesse est quod ille novus emptor suam inde habeat seisinam, quando carta, &c" (l. 4).

„ p. 174, l. 13. For "tunc" read "tamen."

Ch. 33, l. 18. For "altitudine" read "latitudine."

Ch. 35, l. 2. For "idem" read "id." For "itaque" read "Ita quod."

Ch. 36, p. 179, l. 10. After "duodecim" insert "et tunc si suspicio habeatur contra eundem quod veritatem non recognoscat inquiratur ulterius per ordinationem illorum duodecim et per &c."

Ch. 37, p. 183, l. 15. For "factor" read "fauctor."

Ch. 38, l. 12. For "profitare" read "parificare."

Ch. 40, l. 7. For "alicui de" read "aliunde in."

„ l. 8. For "felenga" read "felinga."¹

¹ Breach of contract. See *Gross Gild Merchant* ii. 403 ("Felling").

Ch. 40, l. 10. After "rei empte" read "noticiam inde habeat set quod venditor plene habeat suam primam conventionem Et si non et ipse se velit conqueri in tali casu habeat querelans &c."

Ch. 41, l. 2. Omit "precium."

„ l. 11. For "statutum" read "statum."

Ch. 47, p. 195, l. 6. After "collectores" add "et receptores."

Ch. 49, l. 3. After "leges" add "libertates."

„ l. 13. Omit "in dicta causa."

Ch. 50, p. 198, l. 8. After "sancta" insert "Dei."

Ch. 51, p. 199, l. 5. For "forinsecum" read "aliquem."

„ „ l. 13. For "post" read "preter."

XI.—The City Courts.

1. Our documentary knowledge of the powers and practice of a City Court in Norwich does not date further back than the latter part of the 13th century. But there must of necessity have been some sort of a court from at least the time when the original settlements had become recognised as a united burgh. The first definite notice of such a court is in the Charter of 5 Richard I. (1194). "We have granted," says the King, "that the husting shall be held only once a week." A good deal may be reasonably inferred from this brief statement. The Charter, as we know, was one of common form at that time, the specific clauses being taken from an earlier Charter granted to London by King Henry I.¹ The sole difference in this clause as between the earlier and later charters is the insertion of the word "only." The restriction is also added in the similar Charter granted to London² not many days before the Norwich Charter and in like Charters to other cities. Its object was to relieve the citizens from a burden which interfered with their daily occupations. Now if we compare some of these Charters together we shall find at least three names given to the local court mentioned in this clause. Here, as in London, the name given is "husting"; in a Charter of King Richard to Lincoln³ it is "burwaramote"⁴; in one granted by John while Count of Mortain to Bristol⁵ it is "the hundred." There can be no reason to suppose that three different courts are meant. Rather in the three names we may read a threefold origin or development of the same court. It was first the borough moot or formal assembly of burgesses which must needs have been in existence from the earliest days of the

¹ Birch *Hist., Charters, etc. of London* (1887) p. 3.

² *Ibm.* p. 7.

³ Stubbs' *Select Charters*, p. 267.

⁴ Meeting of burgesses.

⁵ Seyer *Charters of Bristol*, p. 7.

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"burgh." Next, it exercised the civil functions of the hundred court declaring the folk-right or the ancient customs mentioned in and confirmed by the Charter of King Henry II. Thirdly, it corresponded, in the estimation of the King's clerks at Westminster, to the court known in London by the name of "husting." The London Court of this name was of great antiquity, dating from the time of the Danes. When, therefore, the name is found elsewhere it has been assumed that the court so called was copied from London. Whether this were so or not it is impossible to say. At Norwich the evidence is rather against such a supposition, for the court was there without the name. In our existing records the name is hardly ever found except in documents written elsewhere. The local appellation of the court is always "*Curia Norwici*" or "*Curia Civitatis*" or "*Curia Theolonii*," the latter name being derived from the Tolhouse where it was held. The London Court is said to represent the ancient *County*¹ Court of London, the Wardmotes representing Hundred Courts. But we are told that the Sheriffs (who, with the Mayor, presided over this court) had formerly been called "Bailiffs,"² a title belonging to officers of a Hundred. This would be inconsistent with its being at that time a County court. Norton³ also points out that at a still earlier time it was probably presided over by the Reeve (the headman of a Borough or Township). This is precisely the sequence of officials which we have in Norwich, Reeve, Bailiffs, Sheriffs.

Moreover, as the pre-conquest shire-gemot was to sit only twice in the year, the burh-gemot three times and the hundred-moot once a month,⁴ the weekly meetings of the court which we have supposed to have combined the functions of the two last-named are more easily explained of the hundred than the county court. Norwich was a hundred of itself in the days of the Confessor and therefore the same constituency would serve the burgh-moot or the hundred moot, at least in the case of the burgesses under the jurisdiction of the King and the Earl. After the Conquest and the establishment of the French burgh there must for a time have been two courts. That for the French burgh may have been presided over by the Constable of the Castle or his deputy. As to the English burgh court a later tradition⁵ described its president as a "sergeant or bailiff appointed by the King." Both of these offices may well have been combined in the person of the King's Reeve. The Charter of 5 Richard I. implies the existence at that time of only one city court, and is so far a confirmation of the suggestion that the two burghs were municipally working together at the date of Henry II.'s Charter (c. 1158). The name "husting" may justify a further conjecture. It either means

¹ Sharpe, *Wills proved in the Court of Hustings*, p. xx. Coke, *IVth Inst.* 247.

² *Lib. Alb. Lond.*, p. 42.

³ *Constitutions, etc.*, p. 38.

⁴ These Courts might hold intermediate adjournments.

⁵ p. 57.

"a house of pleas" or more probably "a court in a house."¹ The latter, as also the former, description distinguished the court so called from the earlier courts held in the open air. The court of the French burgh would doubtless from the first be held in the Toll House in the Mancroft or Norman Market. But the English burgesses may have continued their open-air meetings at the "Tomlond Motstowe" till the amalgamation of the two burghs. Then the combined court would be held in the Tolhouse and be rightly held to correspond with the London "Husting."

2. By Richard's Charter (1194) the control of the Court passed into the hands of the citizens under the presidency of their elected Reeve or Reeves. The Charter itself bears witness that the jurisdiction of the court was similar to that of the Husting of London at that time in the cognisance of pleas of land or of debt or in reference to any other liberties or customs enjoyed by the citizens of London. We must suppose (as seems to be warranted by later evidence) that the court also, on stated occasions, fulfilled the duties of a deliberative assembly and that at present no definite distinction was recognised between its various functions:

In what way this early court was constituted for the practical transaction of its business must here be left unconsidered, for our conclusions could only be deductions from very obscure evidence of later date.

The substitution of four Bailiffs instead of the Reeve c. 1223, and the acquisition by the citizens of control over their police jurisdiction led to a further development which did not correspond to the London practice. In London the police jurisdiction was exercised by the Aldermen in their wardmotes quite apart from the Court of Husting held for the whole city and presided over by the Mayor and Sheriffs. In Norwich, the leet presentments were made by several bodies of jurors representing various districts and coming at different times, but all alike were made at the same place and before the same four Bailiffs sitting as one body just as they sat for all the other business transacted in the same court. Though technically they were presiding over two different courts it is not at all likely that either they or the citizens troubled to mark the distinction. It would be practically true to say that on the appointment of Bailiffs the City Court added police business to its former civil jurisdiction. The civil jurisdiction had been inherited with the permanent lease of the city from the King its lord, the police jurisdiction came through the Sheriff of the County from the King as Ruler of the Kingdom and responsible for its law and order. But now both were exercised by the same officials in the same place and people would certainly ascribe both to the authority of the same court.

3. Over the constitution of the Court there rests the same obscurity

¹ *Spelman Glossary*.

as we have found in tracing the evolution of a governing body. Everywhere the authority and the executive action are attributed to "the Bailiffs." Scarcely a hint is given of any other persons forming "the court." We may at least take it for granted that in the absence of any mention of a select body of assessors no such definite body existed till after 1404. Even the "24" authorised by the Charter of 1380 to be assessors to the Bailiffs seem to have been administrative rather than judicial helpers. Yet there must have been some helpers. The explanation of the obscurity seems to be that throughout the whole period from the Charter of Richard I. to the end of the fourteenth century the judicial court, no less than the deliberative assembly, was considered a branch of the municipal action of the "communitas." At first, as already observed, there may not even have been two separate bodies to perform the two functions of justice and administration. The most illustrative case in respect of early judicial procedure in Norwich is that of Walter Eghe¹ for whose illegal hanging the city liberties were seized in 1285. The account as given in the records of the Eyre of 1286 tells how Walter had been indicted before the Bailiffs at the Leet, held (as usual) on the first Monday in Lent, for various thefts. On the following Wednesday he was "led before the said Bailiffs and the whole Community of the whole city in the Tolboth" and, although at no man's suit, was required to answer the charge. He put himself on an inquest. Thereupon "the said Bailiffs together with the aforesaid Community" called an inquest which found him guilty, and he was hung. In so acting the citizens were going beyond the privilege of "Infangthief" for he was not caught "with the mainour" nor tried on anyone's charge. Hence, possibly on the report of the Coroners who should have been present² to guard the rights of the King, they were punished by forfeiture of their liberties. We cannot suppose this trial and condemnation to have taken place anywhere but in the City Court, the "Curia Theolonii." Yet besides the presiding Bailiffs, the Court is described as the "whole Community of the whole City." The latter words are added because at the Leet where he was indicted only one subleet of the city (North Conesford) would be represented. The language of this early case is curiously repeated in a much later roll of 1350.³ It is headed "Pleas before Geoffrey Butler and his fellow Bailiffs of the City of Norwich &c." The cases dealt with are market offences. In the case of a butcher found by an inquest guilty of selling bad meat it was decided "*by the Court*" that the meat should be burnt, etc. In another case a man being presented by 12 Jurors for selling fish before the legal hour "being present in the court of the said

¹ p. 220.

² See Custumal ch. 4 (p. 138). Perhaps this case led to the practice there mentioned.

³ *Leet Jurisdiction, etc.* (Selden Soc., Vol. V.) p. 80.

city" threw himself "on the grace of *the Bailiffs*." Thereupon "it is declared to the said David by the Bailiffs and *Community* that he should no more do the like deeds under a penalty." In a third case five men guilty of the same offence are charged "before the Bailiffs of the City at an *Assembly* of the City," etc. The consequent amercement was pardoned "by the Bailiffs and Community" and to the "Bailiffs and Community" they had to find sureties. Here we find the Community exercising the same judicial functions partly in the court of the city and partly at a municipal assembly, both being held (it may be remembered) by the same officials in the same place and apparently with a similar class of assessors. We shall see that this theory of the whole community being the ultimate source of judicial authority is still expressed in the Charter of Henry IV. which created a definite magisterial body.

If we endeavour to imagine how, in default of a select body of assessors, the business of the courts was carried on, we should naturally conclude that there was some sort of understanding or regulation by which certain competent persons were bound to render suit of court as in the case of a country manor. The various notices in the chapters of *Customs* show that there was no difficulty in summoning inquests not only for a future court but on a sudden question arising during the proceedings. One notice seems to give more precise information. Chapter 22 directs that in a certain case arising the executors of the will of the testator are to be set aside by order of the Bailiffs and "other good men of the city." The value of the tenement to be dealt with is to be settled "by view and discretion of good men chosen for that purpose" and to be realised within a certain time limited by the Bailiffs "and other discreet men of the court." Here we have mention of assessors of the court as distinct from persons chosen for a special purpose. This is as far as we seem able to go.

The old City Court of Norwich retained its form and usages throughout the thirteenth and fourteenth centuries,¹ with such extended jurisdiction as occasional Charters conferred on the citizens. Finally, the Bailiffs, by authority of the "*communitas*" exercised the functions of Justices of the Peace.²

4. The great changes which were inaugurated by the Charter of King Henry IV. (1404) in the constitution of the city caused an equally extensive change in the administration of justice. Besides the creation of the office of Mayor as chief citizen, the City was made into a County with two Sheriffs in place of the four Bailiffs.

(a). The Charter authorises the Sheriffs to hold a County Court monthly on a Monday. This was a superior court which had hitherto been

¹ For illustrations of its civil jurisdiction, see Nos. CCXXXIV. to CCXLII. ; the Custumal, No. XLIX. chs. 11—31 ; Extracts from Court Enrolments Nos. LXXXIX. to CLI.

² See p. liii.

held (in Norwich, but independently of the citizens) by the Sheriff of the County of Norfolk, or the King's Justices. It had been held in the Shirehall, which still continued to be the County Court of Norfolk. The Sheriffs of Norwich would hold their County Court in the Guildhall, by which name the old Tolhouse was henceforth called.

(b). Then the Charter says they (the Sheriffs) may hold "a Court as the Bailiffs have done," evidently the old City Court of which we have spoken.¹ Also continuing the old language it is said that "the Citizens and Commonalty" may hold in the Guildhall, before the Mayor and Sheriffs, pleas of Assize of Novel Disseisin, etc., with regard to lands within the liberty. This was manifestly the ancient court called the "husting" in the charter of King Richard I.

(c). A third Court is also mentioned. The "Citizens and Commonalty" may through the Mayor and four "probi homines" hear and determine all matters, complaints, etc., belonging to the office of Justice of the Peace of Labourers, but not felonies without the King's mandate. This was a new court, though some of its powers had been exercised by the old city court. Here also we have the first appointment of a definite set of persons with magisterial authority.

The "Composition" of 1415,² refers to these courts. The Mayor's Court (c) is to be held once a week or oftener for jurisdiction and correction of subordinate officers, and to try pleas of Apprentices, etc., the Mayor being described as "Chief Justice of the Peace in the city." He may also hold pleas of debts, contracts between merchants, etc., "saving his due fees to the Sheriff." The "Recorder" is to act as his legal adviser.

Of the other Court³ (b) it is directed that the Mayor and Sheriffs are to hold pleas of Rents, Lands and Tenements, Recognisances and Enrolments in the Mayor's Court. The Sheriffs are to take the profits of the pleas; the Mayor the fees for enrolment.

We gather from these statements that in some matters these two courts, or perhaps the Sheriff's County Court, interfered with each other. This was plainly the case. Persons might "complain for surety of the peace," either to the Mayor or the Sheriffs, and each court was bound to satisfy the complainant. But it is directed that a man might not be ordered to find surety in both courts for the same matter.⁴ Nor was a person imprisoned by the Mayor to be delivered by the Sheriffs without his bidding. The Recorder again appears to have endeavoured to serve two masters. He was "assigned" to the Mayor as his assessor, and was therefore forbidden to sit

¹ In the first Court Enrolments after Henry's Charter, the names of the Sheriffs are substituted for those of the Bailiffs as Presidents of the Court. After a time the Mayor's name is always entered instead of those of the Sheriffs.

² No. XLI. (p. 101).

³ *Ibm.* (p. 101).

⁴ *Ibm.* (p. 102).

also as Judge in the Sheriffs' Court¹ and so hinder the Mayor's Court. This had been complained² of in the "Complaints of the Commons." The reservation of fees and profits for the Sheriffs, even partly in the Mayor's Court, would be because the Sheriffs were personally responsible for the fee farm rent, towards the providing for which the profits of court formed an important item.

5. By the Charter of 5 Henry V. (1417), the elected "24" were named "Aldermen," and were to "stand perpetual" as the Aldermen of London. From them alone were taken the four "probi homines," who were authorised to sit as Assessors in the Mayor's Court. After this came the long period of unsettlement and controversy described in our sketch. During the forfeitures of the liberties, Sheriffs were appointed by the King, and the Mayor's Court fell into the hands of the Warden of the City for the time being. At length by the Charter of 30 Hen. VI.³ (1452) the jurisdiction of the latter court was not only restored but extended, so that all the Aldermen who had passed the chair of Mayoralty became permanently Justices. The greater part of the charter consists of a full Commission of Peace of that period (with all its details) issued in their favour.

When, however, we compare these arrangements with our existing documents we find reason to think that a good deal of modification must have taken place in the course of the 15th century. Our evidence during that century is very fragmentary, and the course of development can only be conjecturally given. Yet, as it relates to an obscure department of municipal history, even an imperfect attempt to trace it out may be useful.

It may be as well to begin by quoting a succinct description of the City of Norwich in this respect, as given by a nameless writer about the close of the 17th century.⁴

"The Government of the City consists of 24 Aldermen, out of w^{ch} is yearly chosen on the first of May and sworn the Tuesday before St. John the Baptist (if it happens not to fall on a Wednesday) a Mayor who is a Justice of the Peace and quorum during the year of his Mayoralty and after a Justice of the Peace during his life. It also hath two Sheriffs chosen the last day in [August]⁵ and sworn on Michaelmas Day. The Mayor and Aldermen keep Court twice in the week to hear complaints and order such things as concern the peace and well governing of the city on Wednesday and Saturday. The Sheriffs also keep Court on Wednesdays and Fridays to try actions of debt and trespass between man and man, they have also Assistant to them two learned Lawyers in Commission of the Peace and

¹ Possibly this means the Sheriffs' Court for personal actions mentioned at the foot of this page.

² See p. 76.

³ No. XXI.

⁴ Bodleian Library, Oxford. *Gough MSS. Norfolk*, 33 fol. 46d.

⁵ Hidden in the binding.

Quorum whereof one is Recorder and the other Steward. The Recorder assisteth the Court of the Mayor and Aldermen and the Steward in the Sheriffs' Court is as Chief Judge, although the Sheriffs and Steward are called into the Mayor's Court as often as occasion serveth. The Corporation¹ consisteth of the Mayor Sheriffs and Aldermen with the Commonalty which are the number of sixty chosen out of the Commons to be of the Assembly wth the Mayor to consult enacte passe and determine anything that concerns the state of the city. The stated days of which Assembly are four,² viz. S^t Matthew, S^t Matthias, May 3rd and the day before the swearing of the new Mayor, and upon any emergent occasions they are summoned to meet by the Mayor at other times."³

The two Courts here mentioned did not cover the whole jurisdiction of the City. The *Sheriffs' Court* is plainly that held in early times by the Sheriffs of London,⁴ and described, in the same terms, as held by the Sheriffs of Norwich in 1834.⁵ It had formed part of the jurisdiction of the Bailiffs' Court, and must have been separated (either at or soon after the first appointment of Sheriffs) from the *Court of the Mayor and Sheriffs* in which were held pleas of land. This latter court (mentioned as still existent in 1834, but almost obsolete) the writer does not notice. Besides the *Court of the Mayor and Aldermen* there was also the *Court of Sessions of the Peace*. Of these two courts abundant records are preserved in two series of books, one called "Court Books" and the other "Sessions Books." Both of them carry us back to the early part of the 16th century. The question is, how to connect the practice as recorded in the Court Books and Sessions Books with the authority conferred by the 15th century Charters.

6. *The Court of Sessions of the Peace*. There can be no doubt that the origin of this court was the grant by Henry IV., in 1404, of jurisdiction as Justices of the Peace to the Mayor and four "probi homines," to be annually appointed by the Mayor. We can easily trace these four annually appointed Justices⁶ in the extracts given between 1404 and 1452. How their duties were carried out we have little means of knowing except that they did a great deal of binding over people to keep the peace. They would be bound like other County Justices to hold Sessions of the Peace four times a year, and evidently held special Sessions of Enquiry from time to time.

They were not however authorised to deal with *felonies* without a

¹ The writer's distinction between the *Governing Body* (24 Aldermen) and the *Corporation* which included also the 60 Commoners will not escape notice.

² This was the practice at this period as appears in the Assembly Books.

³ This extract has Blomefield's mark, and he has evidently borrowed from it in Vol. III. 450 (notes). ⁴ *Lib. Alb. Lond.* 42, 216.

⁵ *Mun. Comm. Report* IV. 2466. See No. CCXLV., and Note at the end of the Introduction, p. cxlvi. ⁶ Nos. CCXLVI. to CCLII.

mandate from the King.¹ With regard to this branch of the criminal jurisdiction of the city during this transitional period, we have two things to remember. First, the new Sheriffs, by Henry IV.'s Charter, were to hold a County Court, as other Sheriffs, once a month. This would take the place of the County Court of the Sheriff of Norfolk, hitherto held in the Shire-hall, to which appeals of felony in the city had been taken.² At first no doubt the City Sheriffs would hold such a court in the Guildhall and so long as they continued to do so felonies may have been dealt with there to some extent.

The other point is that the exclusion of the Sheriff of the County did not involve the exclusion of Justices assigned by Royal Commission. The Delivery of prisoners from gaol by Special Commission was of much earlier origin than the appointment of Justices of the Peace. It had arisen so far back as the early 13th century to supplement the work of the Itinerant Justices.³ It was not therefore at once superseded even in a county-borough with exclusive jurisdiction like Norwich. Some of our 15th century extracts furnish valuable evidence in this connection.⁴ Even during the 14th century some citizens had been put on such Commissions in conjunction with the County Justices assigned for the purpose.⁵ After 1404 the Commissions are issued to the Mayor in conjunction with one or two outside legal experts and to some leading citizens. It will be observed, however, that the citizens thus named in the Commission as "Justices assigned etc. for this turn" are not the four appointed by the Mayor as Justices for the year, which local Justices are summoned as subordinates to attend the Court.⁶ The proceedings are evidently those of an old Eyre or County Court, for the Mayor enjoins the Sheriffs to summon from each of the four Wards not only 24 men, but also "four men and a reeve," the old representatives at such a

¹ By the Custumal ch. 3 (p. 138) an "appeal" of felony was to be taken to the County Court (of the Sheriff of Norfolk). By the Charter of 33 Edward I. (p. 19) indicted persons were to be kept in the City prison by the Bailiffs till the next Gaol Delivery "according to the law and custom of the kingdom." This is taken by a city advocate in 1441 (No. CCXC. p. 327) to mean "until the Justices assigned etc. came." By the Charter of 19 E. III. (p. 25), the citizens might "do justice" on trespasses and felonies within the newly-granted Castle Fee "according to the law and custom of the city." Presumably this meant, by keeping the offenders in their prison till a Gaol Delivery took place. This is probably also the meaning of the 1st chapter of the Custumal. By ch. 4 a thief indicted without a suit must be kept for the next Gaol Delivery.

² On the hearing of such appeals in the County Court of York in 1388, see *Gross Office of Coroner* (Selden Soc., Vol. IX.) p. 123.

³ Maitland *Select Pleas of the Crown* (Selden Soc., Vol. I.) p. xxi.

⁴ See Nos. CCL. to CCLIV.

⁵ In the Calendar of Patent Rolls, 1380 (*m. 12d*) a Commission is issued to John de Cavendyshsh, Stephen de Hales, and John Holt, in Norfolk, and with them in Norwich are associated Bartholomew de Appelyard, Henry Lominour, Reginald de Eccles, and Robert Cayley, four leading citizens.

⁶ p. 301.

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court of a vill or township, who (more correctly) should have been summoned from every parish.¹ The Sheriffs found the four men as required, but the "reeve" was beyond their powers.

The last of these Commissions² is just after the Charter increasing the number of the City Justices, and accordingly we find nine instead of four City Justices summoned to attend. Special Commissions are found to have been issued at later times either for a Gaol Delivery, or a Session of the Peace, which did the same business, but they do not include the names of outsiders.

On the whole it seems reasonable to conclude that the dealing with more serious offences was not reckoned as part of the ordinary jurisdiction of the City Justices till quite the end of the 15th century, when the authority of Justices in Quarter Sessions had much developed throughout the country. This would account for the absence of records of such business before that time. When our regular stream of Sessions records begins about the end of the century, or at least with the reign of Henry VIII., we find the City Justices calling two of their annual Sessions "Gaol Deliveries."³ They even soon after deal with capital offences,⁴ and by the next century they cease to distinguish this highest criminal jurisdiction by a special name.

It would seem, however, that at a later time the practice of dealing with capital and other serious offences was allowed to fall into desuetude. The Municipal Reform Commissioners (1834) say of the Court of Quarter Sessions (Report iv. 2466) "By Charter of Car. II. it has power to try capital offences, but the right is never exercised." Blomefield (III. 136) states that Commissions like those of 1423 "were often taken out and were continued till lately [c. 1744] when they were disused and, ever since, the Judges at the summer assizes, which are always held here, have tried all prisoners &c. to this time." In 1781, at an Assembly on 21 September, a Petition to Parliament was approved begging that the Lent Assizes might be held in Norwich. It runs, "This City contains near 40,000 Inhabitants exclusive of the Hamletts. Assisses and General Gaol Delivery for the same City are now held but once a year. Civil and Criminal Causes are much delayed. Persons committed to prison may be confined there 12 months before they can be tried or delivered." The petition was not granted till 23 June, 1832, as recorded in a note in the "Mayors Book" which says, "Thus was this most desirable measure effected, after having been in vain petitioned for during many centuries."

7. *The Court of Aldermen.* We may now return to what the writer quoted above calls the Court of the Mayor and Aldermen held twice a week. What was the origin of this court? The answer seems to be that in its fully developed form and powers it was the combined result of

¹ See p. 200, n. 2.

² No. CCLIV. (p. 305).

³ Nos. CCLXII., CCLXXI.

⁴ Nos. CCLXV., CCLXXV.

more than one originating cause. It will be observed that for some time it is not called a "Court" at all, but "Convocatio (or Congregatio) Aldermannorum,"¹ nor is any such Court definitely mentioned in the Charters of Hen. IV. or the "Composition" of 1415. The probable account of its origin and development is as follows.

The Aldermen were originally the 24 annually elected citizens who by the Charter of 1380 had been invested with a certain administrative authority as "Counsel" to the Bailiffs. More correctly the authority was granted to the Bailiffs subject to their assent. There is no existing record of the action of this body, though as we have seen² they were recognised in the Charter of Hen. IV. as a municipal estate distinct from the rest of the Community. The documents called the "Complaints" and "Answers" show them claiming a very definite administrative authority in elections and other matters. The "Composition" and the subsequent Charter of Henry V. established them under the name of Aldermen as the real administrators of the city with a life-long tenure of their office, their authority being subject only to the "assent of the Commonalty." It is unquestionably in this capacity as an *administrative* body that we first meet with them in our records. Otherwise there is no reason to be given why throughout the 15th century and into the 16th they should have been content to call their session a "Convocation" or "Assembly."

But even with this title we find them dealing with the preservation of the peace,³ and before the middle of the 16th century they are exercising, as a principal part of their functions, a corrective and disciplinary authority. Whence was this derived? Perhaps it grew in some such way as this. First, as already observed, the Statutes of Labourers, as carried out by the Country Justices of the Peace, must have been carried out in the City by the Bailiffs and their assessors, and authority to that effect was committed to the Bailiffs by the Community.⁴ Secondly, a definite arrangement on this point was stated in the "Composition" of 1415. The Mayor is authorised by the Community to have "Jurisdiction Court and Correction once a week or oftener . . . to hear and determine in his court" . . . all complaints alleged against any subordinate officials or ministers. Also all matters arising out of the Statute of Labourers "as he that is Chief Justice of the Peace in the City," etc. The Recorder is to be his legal adviser. That this weekly court of correction was the same as that afterwards described as the "Court of Mayoralty" or the Court of the Mayor or Aldermen admits of little doubt, yet, in part at least, the authority is ascribed to the Mayor's office of Justice of the Peace and nothing is here said about the 24 taking part in this jurisdiction although it must have been intended. This brings us

¹ See Nos. CCLXXVI., etc.

² p. lviii.

³ No. CCLXXVII. etc.

⁴ See Assembly Roll, 1377, No. CLXXXIV.

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to a third observation, that the authority of the Court of Aldermen was the result of a combination of the administrative authority conferred on the "24 citizens" as a body and the personal authority belonging to some of them, in particular the Mayor, as Justices of the Peace. The earlier title of their Sessions bears witness to their original functions, the later to the increased power with which they were able to act. For a time five out of 24 were Justices, then, after 1452, often double that number. It is evident also that the power which really belonged to some personally was practically assumed by the whole body. The corrective discipline as finally exercised by the Court of Aldermen, which to a great extent absorbed and extended that of the earlier Leet Courts was, strictly speaking, a branch of the Conservation of the Peace. It is no matter of surprise that the administrative and judicial functions of the members of the body should have coalesced into a general magisterial authority when we remember that the very same persons, the Mayor and at least one-third of his fellows, took part in both. So it came to pass that the administrative Court of the 24 citizens became also a Court of Police Jurisdiction and to some extent a Court of Petty Sessions, while the higher Criminal Jurisdiction was confined to a more limited portion of the body sitting in Quarter Sessions.¹

XII.—The early Leet (or Police) Courts.

1. These Courts have been reserved for special mention because they were distinct from the Courts already described, and because during the time the city was governed by Bailiffs they occupied a very important position in the municipal administration. They existed for the purpose of carrying out the jurisdiction which is now associated with the term "police"; viz., the dealing with the minor offences against the general law of the land and with all breaches of the customs (or by-laws) of the city. The Court also took notice of more serious offences or felonies; but except in the case of open theft their condemnation and punishment were reserved for the County Court or the next visit of the King's Judges.

Frankpledge and Tithings. A brief explanation of these terms is necessary for understanding the action of the Leet Courts. By Norman and perhaps earlier English law local communities were made responsible to the central authority for the maintenance of common order and discipline. The responsibility was laid on the Hundred and, within each

¹ For the transference of offenders from the lower court to the higher, see No. CCLXXXII.

Hundred, on its constituent Vills (or Townships). For the purpose in view the whole adult male population was bound to organise itself into small sectional bodies called Tithings. A normal tithing consisted of 10 or 12 persons, including youths of 12 years old and upwards. These persons were mutually responsible for each other's good conduct, and were collectively called upon to answer for all offences committed in their immediate neighbourhood. This system was called "Frankpledge" or the pledge of freemen. Twice a year the Sheriff of the County visited the Hundreds and held a "View of Frankpledge," or enquiry whether the enrolment of adults was being properly carried out.

Presentment of Offences. From the close of the 12th century onwards, probably from the Assize of Clarendon in 1166,¹ the View of Frankpledge was accompanied by the report or presentment of any offences which had been committed since the last View. One man in each tithing, called the Chief or Capital Pledge,² made the presentments on behalf of his tithing. At least 12 chief pledges were required to be sworn together at each court, and the offences (if within the cognisance of the court) were punished by fines or amercements affeered³ by two or more of their number appointed by themselves for the purpose. The jurisdiction was, in theory, a royal privilege; but the Lords of exempt estates, including the authorities of chartered cities and boroughs, seem to have early claimed the privilege to exercise this jurisdiction and retain the profits of the court.

2. *The Norwich Organisation.* The above system differed in many of its details in different parts of the country. It was, however, more strictly carried out in East Anglia than elsewhere, and in Norwich is found to accord with its normal form. Much has already been incidentally mentioned in the earlier Introductory Chapters of this Volume. It has been pointed out⁴ that the View of Frankpledge in its more restricted sense most likely passed into the hands of the citizens in 1194, under the charter of Richard I., and that the substitution of four Bailiffs for a Reeve in 1223 was co-incident with the sub-division of the four older Leets of the city into subleets for the purpose of exercising the jurisdiction of presentment and amercement of minor offences.⁵ Our earliest evidence on the subject is not more than 65 years later than that year, viz., in 1288, when the first of a most valuable series of Leet Rolls was compiled. Seven such Rolls are preserved relating to the 13 years between 1288 and 1300.⁶ There is a very full Roll of 1313, and there are also two of 1375 and 1391.⁷ In addition to these there exists a specially interesting Tithing Roll of the Leet of Mancroft,⁸ with a list of

¹ Maitland *Manorial Pleas* (Selden Soc., Vol. II.) p. xxxii.

² In Latin, *capitalis plegius*; in English, headborough from borh, a pledge.

³ Assessed. ⁴ p. xxiii. ⁵ p. xxvii. ⁶ pp. 357 to 370.

⁷ pp. 381 and 383. ⁸ p. 371.

all the inhabitants as they were enrolled in Tithings in the year 1311 as nearly as may be fixed. These Rolls with some others of a later date have already been edited and explained by the present writer.¹ A short summary of what is there stated may be here given.

In 1288,² we find the presentments enrolled as in the four Leets of Conesford, Mancroft, Wymer, and Ultra Aquam. But we also find them entered as being made by separate Juries from sections or sub-divisions of these leets. Though the actual word is never used, it is convenient to call these sections subleets. The subleets are mostly made up of groups of parishes, varying from a single parish to nine or ten. Supplementing the information of this Roll in one or two cases from that of other Rolls and giving the subleets the names by which they were (not then, but) afterwards known, we find that at the close of the 13th century there were in operation in Norwich 11 of these subleets. The Leet of *Conesford* contained three subleets, (a) South Conesford with six parishes represented in 1288 by 12 capital pledges, (b) North Conesford with four parishes and 12 capital pledges, (c) Berstrete with six parishes³ and 13 capital pledges. The Leet of *Mancroft* contained two subleets, (a) the parish of St. Stephen with 12 capital pledges, (b) the parish of St. Peter Mancroft with 30 capital pledges. The Leet of *Wymer* or *Westwyk* contained four subleets, (a) St. Giles with four parishes and 12 capital pledges, (b) St. Gregory with two parishes (St. Gregory and St. Lawrence) and 12 capital pledges, (c) St. Andrew with 5 parishes and 15 capital pledges, (d) St. George [Tombland] with 3 parishes and 12 capital pledges. The Leet *Ultra Aquam* had two subleets, (a) St. Michael [Coslany] with four parishes and 18 capital pledges, and St. Clement with 10 parishes and 15 capital pledges. The conclusion seems to be reasonable that the subleets were artificially arranged so that each should have 12 capital pledges at least to make its presentments, for the law required no less than 12 sworn men to acquit or condemn their neighbours. This means that each subleet was arranged to include at least 12 tithings. The large parish of St. Peter Mancroft, containing the market, had 30 tithings. St. Stephen could make up 12. Each of these two therefore could deal with its offences by itself. St. Gregory and St. Lawrence, adjoining the market and full of workers, could combine together. But in the outlying districts, away from the busy centre of city life, where population was thinner, it took six or (in one case) even ten parishes to find tithings enough to produce the requisite number of capital pledges to form a legal jury of presentment. There is, however, evidence (chiefly gathered from the Mancroft Tithing Roll of 1311) that the original arrangement had (even in 1288) undergone some modification. It is thought, therefore, that there were originally 12 subleets, the two over the water with their 33 tithings

¹ Hudson, *Leet Jurisdiction in Norwich*, Selden Soc., Vol. V.

² . 357. ³ See p. 371.

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representing what had once been three subleets. The total number of tithings was about 160. In modern language, the City of Norwich in the 13th and 14th centuries was organised into 12 (or finally 10) police districts, containing 160 police associations. Each little district held its own separate session in the Tolhouse, but at all the Sessions the four city Bailiffs in conjunction presided, and the amercements in all cases went to the common chest.

3. *The Procedure.* The Court was held yearly in the Tolhouse under the presidency of the four Bailiffs. The usual day for commencing the business was the first Monday in Lent.¹ On that day the Capital Pledges of South Conesford would make their presentments. The other subleets would follow on other days, generally (at least on the Roll) in the order just described as entered in 1288. It appears that about three days in each week were thus occupied, so that the whole business went on for about four weeks of Lent. In one of the 14th century Rôlls, that for 1391,² all the days of sitting are specified. The presentments of the different subleets are entered in the usual order, but their session days followed a very different order. At that time the two subleets of South and North Conesford were combined in one, and the whole number was only 10. They sat as follows:—2nd week in Lent: Monday, St. Stephen, Tuesday, Conesford, Thursday, Berstrete, Friday, St. Gregory; 3rd week in Lent: Thursday, St. Peter Mancroft; 4th week in Lent: Monday, St. Andrew, Thursday, St. Michael, Friday, St. Giles; 5th week in Lent: Monday, St. Clement, Tuesday, St. George (Tombland). The reason why they did not begin this year on the 1st Monday in Lent may have been because it fell very early, and on the feast of St. Valentine (14 Feb.)

The *Presentments* and the *Offences* presented. As already stated, the offences were presented by the Capital Pledges of the Tithings in numbers of not less than 12 sworn jurors. Where there were more present they were not all sworn. If there were not enough present, at least in the 14th century, a member of a tithing might be sworn for the day. Each jury was supposed to know all the offences which had taken place in its district during the year, and was fined "for concealment" if any breach of law and custom was known and not reported. There was no trial of the reported offenders. But as occasionally it is stated that a person is "Pardoned because the charge is not true," it seems that some defence might be set up and allowed by the Bailiffs if they satisfied themselves of its validity.³

The offences presented were very numerous, and embraced nearly the whole field of local jurisdiction. Even murder, manslaughter, or death by accident might be presented, but they were not dealt with by the court. The accused parties were ordered to be arrested. *Thefts* were presented, and if the amount stolen was small they were punished by amercement, otherwise

¹ pp. 357, 368.

² p. 383.

³ p. 365, n. 5.

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they were reserved for a higher court. If the thief was caught with the stolen goods and was prosecuted at the time, he might be hung by the citizens of their own authority. Receivers of stolen goods were mostly amerced. *Assaults*, which in the earlier rolls are described as "blood-drawing," were nearly always punished by amercement. Sometimes, however, the necessity for sterner measures must have been felt, for all such offenders are ordered to be arrested. *Raising the hue and cry* was a very common presentment. The party who raised it wrongfully was amerced. *Nuisances* of all sorts were presented, as fouling a highway, selling unwholesome meat and fish, blocking a road, etc. Even what would now be called private nuisances were dealt with, as removing a neighbour's bounds, encroaching on his ground, blocking the course of his gutter, etc. *Market and Trade Offences* are very numerous, as using defective weights and measures, buying and selling before the lawful hour, forestalling¹ the market by buying up goods coming into the city to force up the price, or forbarring it by buying them up to sell them elsewhere. Old clothes were sold for new, pasties had been warmed up when two or three days old, all kinds of underhand proceedings were reported. Then people had not enrolled themselves in tithings as the law required. Most of all, the common chest of the city suffered in various ways. Persons were trading and making profit without having taken up their freedom. Outsiders, pretending that they were citizens or were bringing in the goods of citizens, got goods through the gates without paying toll; the men of various crafts presumed to regulate their own affairs and correct their own offenders instead of bringing all such matters before the City Bailiffs to the profit of the community. And unpatriotic citizens, misled by the prospect of more favourable judgments, would take their causes to the ecclesiastical court on the plea that the case had something to do with a testament or a marriage, to the great annoyance and loss of the defendants. Finally, by far the most fertile source of municipal profit was the amercement of those who had been guilty of breaches of the assize of ale. The assize of bread is little mentioned. Perhaps it was dealt with in some other way. The price of ale was fixed according to the price of wheat. Almost every house-wife of the leading families brewed ale and sold it to her neighbours, and invariably charged more than the fixed price. The authorities evidently expected and wished this course to be taken, for these ladies were regularly presented and amerced every year for the same offence, paid their amercements and went away to go through the same process in the future as in the past. Much the same course was pursued by other trades and occupations. Fishmongers, tanners, poulterers, cooks, etc., are fined wholesale year after year for breaking every by-law that concerned their business. In short, instead of a

¹ p. 367, n. 2.

trader (as now) taking out a license to do his business on certain conditions which he is expected to keep, he was bound by conditions which he was expected to break and afterwards fined for the breach. The same financial result was attained or aimed at by a different method.

The *Amercements*. The only penalty in the power of the court was amercement, *i.e.* an arbitrary money fine fixed by the court in each case. For this purpose two of the jurors were appointed, most likely by the rest, if not by the Bailiffs. They said what each offender was to pay, and were supposed to temper the fine according to the capacity of his or her income. The fines varied from 3d. to about 4s. The Roll of 1289¹ enters all these details most fully. From it we find what every offender was assessed to pay and how much was actually collected. An order was given to two persons, who were doubtless sergeants of the Bailiffs, to collect the sums assessed. But some offenders are excused because they are poor, some because they are in office, as a gate-keeper or a sergeant. Some are excused by the Bailiffs without reason assigned; some "at the instance" of certain great people wishing to do a good turn for a friend. Again, others make a bargain with the collector, thus expressed, as for instance, "John de Swaffham² is not in tithing. Amercement 2s. He paid 6d. the rest is excused. He is quit." Sometimes an entry is marked "vad," *i.e.* vadiat, or vadiatur, he gives a pledge, or, it is pledged. The Collector had seized a jug, or basin, or chair. But by far the larger number of entries are marked "d," *i.e.* debet, he owes it. The Collector had got nothing. At the end of each (great) Leet is a collector's account of moneys received and paid in to the Bailiffs or the City Chamberlain in three or four or more payments. By drawing out a balance sheet for the whole city in this year it appears that the total amount of all the amercements entered is £72 18s. 10d. This is equivalent to more than £1,000 at the present value of money. But all that the Collectors can account for, even after Easter, is £17 os. 2d. It is clear that however efficient the system was in preventing offences from passing undetected, it did not do much to deter offenders from repeating them.

4. The *Capital Pledges* and *Tithingmen*.³ The various lists of Capital Pledges in these Rolls and the Mancroft Tithing Roll supplemented by information to be derived from the existing Enrolments in the City Court at the close of the 13th century enable us to say with some certainty that at that time the Capital Pledges lived in the districts which they represented. They were not members of exactly the leading class from which the Bailiffs and some other officials were taken. But with that exception they occupied a good position among their neighbours. Once elected, they seem to have served for several years. As to the members of the Tithings we

are quite dependent upon the Mancroft Roll. It seems fairly certain from that document that a tithing consisted of male members of households within a limited neighbourhood. A tithing, however, was never (in Norwich) called from a district or a street,¹ but from its head. In those days responsibility was always supposed to reside in some personal official. Another point is that there can have been very few lay persons in the city exempt from the obligation of being enrolled in tithings by reason of their prominent position. This was the case in the country generally, but among the members of the tithings in the Tithing Roll of 1311, many names may be identified as those of citizens who undoubtedly belonged to the ruling class. Ecclesiastical persons were exempt, being responsible to their own superiors. And to some extent the members of a man's household (his "mainpast") were also exempt, yet we find many such, and even a man's sons presented for not being enrolled, even though living at home.

5. The *later history* of this branch of the city jurisdiction may be briefly summarised. On the City becoming a County in 1404, the new Sheriffs of the County of the City began to hold Tourns² as other County Sheriffs did. In these courts the presentments were made by specially chosen juries appointed by the Sheriffs themselves. They were made, not as in the Leet Courts by jurors from the subleets, but from the four Great Leets, by this time called Wards. We have no records of them till the time of Edward VI. By that time the system of 12 small Wards had been established, and the material for the presentments seems to have been supplied by the constables of the small Wards.

During the 15th century, as already shown, the magisterial power of the Aldermen was established on a definite basis. Much of the business previously dealt with in the Leets passed to the Court of Aldermen. Again, during the same century the Trade Guilds were organised with acknowledged authority, and absorbed much of the old Leet business in that direction.

Yet in spite of all this the Leet Courts continued to meet as of old in Lent. The Sheriffs presided. The second Sheriffs' Tourn, held after Easter, is sometimes called "The Turne³ with the residue of the Lete," as if it finished off after Easter what the Leet had begun before Easter. Even when Sheriffs' Tourns had long ceased, we find Rolls of the old Leet Courts divided into their old 10 subleet-sections, meeting and presenting a few items, chiefly of defective weights and measures, nuisances, and riotous houses. Our latest picture is taken from the Report of the Commissioners who prepared the way for the Municipal Reform Act of 1835. Four men⁴ (presumably one from each Great Ward) were called "The Leet." They

¹ As in Nottingham. See *Leet Jurisd.*, p. lxxii.

² pp. 386 to 390.

³ p. 387.

⁴ See *Leet Jur.*, p. lxxxii.

were inspectors of weights and measures, and received, in lieu of salary, the fines imposed upon the parties convicted of using defective weights, etc. Soon after this our modern Police system came into operation.

XIII.—The local Militia and Musters.

1. Closely allied to the Leet or Police organisation was that of the local Militia. In its origin this was an obligation laid upon every free member of the community to hold himself ready to fight for the defence of the country or the maintenance of internal order. The old English "fyrd," as it was called, which was unavoidably discontinued after the Norman Conquest for several generations, was revived when Normans and English settled down together by King Henry II. through the Assize of Arms in 1181. More specific directions as to its exercise were given by a Writ of King Henry III. in 1252, and again by King Edward I. in the Statute of Winchester in 1285. By that Statute two Constables were to be elected in every Hundred to see that the ancient Assize was being duly carried out, and, with that object, to hold a "View of Arms" twice in each year. As the central authority in the kingdom became stronger, and a general levy was no longer thought of as a probable necessity, and what the King required was rather a select number of qualified soldiers, the system, though nominally continued, was much modified. The citizens would be called upon by the King to furnish him with a certain number of men, or to offer as many as they could, and perhaps Commissioners would be appointed on his behalf to see that his demands were satisfactorily met. This was called a "Commission of Array." It was met by dividing the responsibility, whether for men or money, amongst the various leets (or wards) and sub-leets of the city on much the same lines as in the administration of the police jurisdiction.

Our Norwich Records connected with this department of civic administration are not of a very early date, but they enable us to take a sufficiently clear view of the method in which the two main principles of obligation mentioned, the general equipment of all adults or the selection of qualified men, were carried out in the city.

2. It is fortunate that one record in particular has survived, a "View of Arms" of the Leet of Conesford in 1355. The organisation which it reveals is so manifestly based on the old Assize of Arms, the later modifications being easily detected, that it not only gives a vivid picture of the procedure at its own date, but fairly supplies the deficiency of earlier records.

This interesting document¹ is entitled "View of Arms held before John

¹ No. CCCXXV., p. 390.

Bardolf of Wermegeie and his fellows, Justices of the lord King for preserving the peace of the lord King in the County of Norfolk, for the Leet of Conesford in the City of Norwich, on Monday after the feast of St^t James the Apostle in the 29th year of King Edward the third from the conquest of England." [27 July, 1355.]

After giving the names of two Constables fully armed, it supplies a list of "fully armed" men, "half armed" men and archers. In each case the details of the equipment are given for the first person mentioned, the other members of the same class being described as "armed in like manner."

After this the whole contingent provided by this Leet is passed in review as vividly as if marching before the eyes of the reader. The contingent consists of two companies, one evidently being from the subleet of *Conesford*, the other being described as from the subleet of *Berstrete*. Each company is under the command of a captain ("centenarius,") one of the fully armed men mentioned above. He carries a lance and banner ["baner" or "vexillum"]. The company from Conesford subleet contains five sections. Each section is under an officer called "vintenarius" [from the French "vingt,"] and in accordance with the title of the officer a section consists of about 20 men. The vintenars are taken from either the fully armed or the half armed men, and it will be noticed that almost every section contains one or more armed men mixed with the unarmed men who make up the number. A vintenaar carries a lance and pennon [pyncellum.] The unarmed men carry a variety of weapons, swords, axes, hatchets, and almost all a staff and coutel [baculus et cutellus.] A few are archers with bows and arrows. The Berstrete¹ company contains only four sections under four vintenars. The total complement of the contingent from the Leet of Conesford, exclusive of the two Constables who must have been acting as Inspectors in conjunction with the County Magistrates, is as follows, (a) for the Conesford subleet, one company with five sections under five vintenars, and containing just 100 men; (b) for the Berstrete subleet, one company with four sections under four vintenars, and containing 80 men, giving in all two centenars, nine vintenars, and 180 men.

Besides this roll there are preserved two other rolls, almost contemporary, for the Leets of *Mancroft* and *Wymer*. They are not arranged in the same manner as that for Conesford, but with the help of that roll we may fairly gather the constitution of the Militia of those two Leets. *Mancroft*² apparently had two companies for its two subleets of St^t Peter Mancroft and St^t Stephen. There were two centenars, 11 vintenars, and about 220 men. The roll is very badly defaced, but plainly we may trace the existence of an organisation similar to that of Conesford. As might be expected in the wealthy district of Mancroft, there is a larger proportion of armed men and

¹ p. 393.

² p. 394.

many more archers. The *Wymer*¹ roll mentions no centenars or vintenars, but as it gives the names of four Constables, and the contingent contains only a little short of 400 men, we may take for granted that this Leet had four companies, corresponding to its four subleets, and that each of the companies contained its full number of five sections with 20 men. Even for the Leet Ultra Aquam² we have some evidence tending in the same direction. A similar roll for that Leet was in existence in the time of Kirkpatrick, who has left a short analysis of it. He gives two Constables, corresponding to the correct number of two subleets, and a total of 169 men. Six (perhaps seven) names have "Vint" in the margin. This information, though very imperfect, would seem to imply the existence of two companies, which should have contained about 200 men.

Although some of the subleets appear not to have provided their full normal complement of men, yet on the other hand there were the exempt districts belonging to the Prior and others whom we find contributing money at a later time.³ They may very likely have contributed a certain quota of men at this period.

3. On the whole we may conclude that in 1355, if Hugh de Bardolf and his fellows required the actual presence of the persons enrolled on the Constables' lists, as the Conesford Roll would warrant us in supposing they did, and if further they called out all the contingents before them at the same time, then they passed in review in the City of Norwich a goodly regiment of about 1,000 men, thoroughly organised in companies and sections.

It is plain, however, that the organisation as then existing was entirely artificial. It did not represent the full requirements of the old Assize of Arms. It was not a gathering of the whole adult citizenship, although it was much too large to represent a special call. We may conclude that it was a compromise which a large city like Norwich was allowed to make. A thousand qualified men furnished a sufficient recruiting ground for any number the King's Commissioners might want.

The fact that there were 10 companies, and almost certainly 10 constables, is an instructive feature. It means that at this time there were 10 divisions in the city which either were, or might have been, called *Constabularies*. These divisions were, undoubtedly, the 10 subleets. Now these subleets, as we know, had not been formed for military but for police purposes about 1223. Their connection with the Militia must have become gradually closer. We learn from the case of Thomas de Karleton (p. 211) that the whole armed force of the city was under his orders as the Chief Constable of the Hundred appointed under the Royal Writ of 1252. The Leet Roll of 1288 shows that after the Statute of Winchester in 1285 there

¹ p. 396.

² p. 399.

³ p. 406.

was one Constable for each great Leet,¹ and a Sub-Constable for each sub-leet.² At that time there were 11 subleets, and there would therefore be 11 sub-constabularies. But we learn also from our Leet Rolls that in the 14th century the number of subleets was reduced to 10, and that the word "leet" was applied to what had been subleets.³ Our Militia Rolls fall in with this development. The Constables are, indeed, given as officers of a great Leet, but their number is apportioned to that of the subleets. The subleet of Berstrete also is described as the "leet" of Berstrete.⁴ It seems clear then that the office of the four chief Constables had lapsed, and that the 10 sub-constables had taken their place as Constables.⁵

We may hazard a conjecture that these changes were connected rather with Militia than Police organisation. The one Constable in 1252, or the four in 1285, may, with the assistance of their deputies, have inspected twice a year all the citizens who were bound to appear under the Assize of Arms. But the gatherings would of necessity lack organisation. As the idea of a general muster died out, and the demand for qualified men increased, the need for organisation would become pressing. Hence, perhaps, the organisation of centenaries and vintenaries, in imitation of an army on service, and the assignment of a centenary to each subleet. Hence also the raising the subleets (for police and military purposes) into the position of Leets, and the sub-constables into that of Constables.

4. *Commissions of Array.* The selection of a certain number of men to go out on the King's service is illustrated by the Roll for Ultra Aquam⁶ just mentioned. In it 20 leading citizens are not described as fully armed or half armed, but against their names is set "one man armed," or against some "two (or three) men armed." To some an "archer" also is added. This, no doubt, means that these citizens found substitutes for themselves, and some provided others besides. The process of selection is more clearly seen in some other documents contemporary with the Views of Arms, of which three are given⁷ with the "Views." They are described as "Arrays" or "Agistments," the two words being treated as synonymous, but originally describing two steps in the process. The "Arrayacio" was compiling the list, or panel, or schedule, of the persons responsible; the "Agistacio" was apportioning or assessing the responsibility, whether in service, arms, or money, amongst those on the array. There can be no reason to doubt that the Muster Rolls or lists of the contingents furnished by the Leets to the Constables at the View of Arms formed the basis of the selection.

These particular Rolls do not mention the number of men the City was required to provide, but we find from the Assembly Rolls that a

¹ p. 357.² p. 363.³ pp. 383 to 385.⁴ p. 393.⁵ For the importance of these officials in the 15th century, see p. ciii.⁶ p. 399.⁷ pp. 400 to 402.

frequent demand was for 120 men.¹ In 1385 it was for 40 men at arms, 40 archers, and 40 mariners. In 1461, the leading citizens are to find 40 men at arms and the commonalty 80. In the time of Queen Elizabeth the number of "calyver" men (gunners), trained in the City according to the Queen's Commission, was 80.

5. *Later Muster Rolls.* As illustrating the Militia arrangements in the City in the middle of the 15th century, some extracts are given relating to demands made upon the City just before the downfall of King Henry VI. at the hands of King Edward IV. from 1457-1461.² They are taken partly from the contemporary Assembly Book, and partly from the "Old Free Book." They are not quite so intelligible as the earlier Rolls. The citizens agreed, as just mentioned, to send to the King 120 men, the expenses to be assessed by Wards and Parishes. A Captain (probably a trained soldier) was persuaded to undertake the leadership, and the public treasury was to find his outfit and other expenses. The 80 men were engaged for six weeks at 6*d.* a day or 2*s.* each. The City agreed to find 200 marks, and in addition the Prior of the Cathedral offered 10 marks, the Master of the Hospital of St. Giles four marks, and the Dean of the College of the Chapel in the Field 40*s.* or three marks. These last gifts are expressly stated to be "freely offered for the safe custody of the city." Perhaps that means they were not to be spent on the wages of the soldiers, but on strengthening the city defences if need arose.

The old Free Book gives what seems to be a complete Muster Roll of the period.³ The total number of names entered falls greatly short of that in the 14th century rolls, being about 660, but the proportion of the four great Wards to each other is similar to that of the four Leets. The list appears to be connected with an urgent appeal in 1457 to the citizens of Norwich by the burgesses of Yarmouth, who were threatened with an attack by the King's enemies. The Norwich citizens agreed to send 200 men for eight days.⁴

Some further illustrations of 100 years later are given.⁵ They relate to the reign of Queen Elizabeth. The total number of men entered on the Muster Rolls varies considerably between 1,500 and 1,800. It is clear that to this number must be added the Aliens, who were very numerous in the city at this time. An undated list of this period gives a total of over 400 Dutchmen and more than 350 Walloons.⁶

A special obligation was to furnish "80 shott of calyvers" (guns). A Muster Roll of 27 May, 1577, shows the method pursued. Eighty substantial citizens are appointed to "find calyvers," and 80 more men are appointed to "serve with the calyvers." The charges for four days' training are also given.

¹ In 1346 the demand was for 120 men. In 1350 for 60 men. Rymer *Fœd.* III., pt. I., pp. 71, 193. ² pp. 405, 406. ³ pp. 407 to 413.

⁴ p. 404. ⁵ pp. 413 to 419. ⁶ p. 416.

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Additional Note on the *Sheriffs' Court of Record*.—See p. cxxx., n. 5.

The Sheriffs' Court for the trial of civil actions was not abolished by the Municipal Reform Act of 1835. That Act (5 and 6 Wm. IV., c. 76, sec. cxviii.) enacted that such courts, where they existed, should continue, and that the official who by charter or custom was at that time Judge of such court should "continue to be and act as such Judge." No mention is made of a special case like Norwich with its Sheriffs and Steward. If the Recorder were the Judge the appointment was to rest with the Crown, in other cases with the Town Council.

Under this authority the Council of Norwich on 1 Jan., 1836, appointed Nathaniel Palmer, Esq., Barrister-at-Law, "Judge of the Court of Record in this City" (Council Book A., p. 11.)

On the following 9 Feb. (*ibm.*, p. 64), they discontinued the office of Steward. "The Committee report that the only duty of the Steward is to preside as Judge in the Sheriffs' Court of Record and at the Sessions in the absence of the Recorder, and inasmuch as the Judgeship of the Court of Record has already been filled up by the Council, and as under the provisions of the Municipal Reform Act the Recorder is in future to appoint his own Deputy to preside at Sessions in his absence, the Committee consider the Office of Steward may be abolished."

The Court, under the name of the Guildhall Court of Record, now sits six times a year. The present Judge is Ernest Edward Wild, Esq., Barrister-at-Law, who was appointed in 1897.

SELECTED RECORDS OF THE CITY OF NORWICH.

I. Description of Norwich in Domesday Book.

*Hundredum de Norwic.*¹—In Norwic erant tempore regis Edwardi MCCCXX burgenses Quorum unus erat ita dominicus regis E. ut non posset recedere nec homagium facere sine licentia ipsius,² cui erat nomen Edstan, hic habebat xviii acras terre et xii prati et ii ecclesias in burgo et sextam partem tercię, et uni ecclesie pertinebat una mansura in burgo et vi acre prati hoc³ tenet Rogerus Bigot de dono regis. Et de MCCXXXVIII habebant

Hundred of Norwic.—In Norwic there were in the time of King Edward 1320 burgesses. Of whom one was so much in demesne of King Edward that he could not depart nor do homage without his license, whose name was Edstan, he had 18 acres of land and 12 of meadow and 2 churches in the burgh and the 6th part of a third, and to one church belonged one house in the burgh and 6 acres of meadow. This Roger Bigot holds by gift of the King. And of 1238 the King and the Earl had

¹ *Domesday Book*, ii. 116.

² This expression, which denotes condition of tenure (Round, *Feudal England*, p. 26), implies that what Edstan held, he held in the King's name and not in his own. It was the King's demesne. Yet he was plainly a leading man, and is reckoned among the whole number of 1,320 burgesses, not especially among the 1,238 of the King and Earl. It may be conjectured that he was the resident Steward or Bailiff of the King, and in that capacity acted as Portreeve. This condition of tenure, though common in ordinary manors, is very rare in burghs. It occurs twice in Norwich and once in Thetford, where 36 tenants held under the same condition. (*Domesday Book*, ii. 119). The other instance in Norwich, as shown below (*p.* 2, *note* 2), accords well with the explanation of local stewardship. But the large number of burgesses so circumstanced at Thetford seems to require a different explanation.

³ That is, all which had been held by Edstan.

Rex et Comes socam et sacam et consuetudinem.¹ Et super L habebat Stigandus socam et sacam et commendationem. Et super xxxii habebat Heroldus socam et sacam et commendationem Quorum unus erat ita ei dominicus ut non posset recedere nec homagium facere sine licentia ipsius.² Inter totum habebant omnes lxxx acras terre et xx acras et dimidiam prati. Et de istis erat una mulier soror Stigandi, xxxii acras terre. Et inter eos omnes habebant dimidium molendinum et quartam partem unius molini et adhuc habent. Et adhuc xii acras et dimidiam prati quas tulit eis Wihenoc, modo habet Rainaldus filius Iuonis. Et adhuc ii acras prati que iacebant ad ecclesiam Omnium Sanctorum, illas etiam tulit Wihenoc et modo habet Rainaldus. Et etiam in burgo quedam ecclesia sancti Martini quam tenuit Stigandus t. r. E. cum xii acris terre, eam habet modo Willelmus de Noiers ad feudum Stigandi. Tenebat etiam Stigandus unam ecclesiam

soc and sac and custom, and over 50 Stigand had soc and sac and commendation, and over 32 Herold had soc and sac and commendation, of whom one was so much in his demesne that he could not depart nor do homage without his license. On the whole they all had 80 acres of land and 20 acres and a half of meadow, and of them one was a woman the sister of Stigand, [she had] 32 acres of land, and amongst them all they had the half of a mill and the 4th part of a mill and they still have, and besides 12 acres and a half of meadow which Wihenoc took away, now Rainald son of Ivo has them, and besides 2 acres of meadow which were laid to the church of All Saints, those also Wihenoc took and Rainald now holds. And also in the burgh is a certain church of S^t. Martin which Stigand held in the time of King Edward with 12 acres of land, now William de Noiers has it at the fee of Stigand.

¹ A contrast is plainly intended between the "consuetudo" which the burgesses of the King and the Earl had to render and the "commendatio" held by Stigand and Harold over their burgesses. Blomefield (*Hist.*, iii. p. 11, note 5) is probably right in suggesting that the whole of the 1,320 rendered "customs" to the King and Earl in the usual proportion of two parts to the King and one to the Earl. Stigand and Harold had seignorial jurisdiction (soke and sake) over their burgesses, including fees of court and burgage rents, together with certain personal obligations of service. But all market dues, tolls, and other public customs, in relation to which all the burgesses acted in common, went to the King and Earl.

² This man held among Harold's burgesses the same position that Edstan did among the whole, as presumably Harold's local agent or steward. Stigand's burgesses being associated with the adjoining manor of Thorpe would need no such local administrator.

sancti Michaelis, cui adiacent cxii acre terre et vi prati et i caruca, hoc tenet Willelmus episcopus set non de episcopatu. Et burgenses tenebant xv ecclesias quibus pertinebant in elemosina clxxxi acre terre et prati. Et ecclesiam sancte Trinitatis tenebant t. r. E. xii burgenses, modo episcopus de dono regis Willelmi. Rex et comes habebant clxxx acras terre. Abbas habuit medietatem ecclesie sancti Laurentii et i. domum de sancto Edmundo. Hoc erat totum tempore regis E. Modo sunt in burgo dclxv burgenses Anglici et consuetudines reddunt et ccclxxx bordarii qui propter pauperiem nullam reddunt consuetudinem. Et in illa terra quam tenebat Stigandus t. r. E. manent modo ex illis superioribus xxxviii burgenses et in eadem sunt ix¹ mansure vacue.² Et in illa terra de qua Heroldus habebat socam sunt xv burgenses et xvii mansure vacue que sunt in occupatione castelli. Et in burgo clxxxx mansure vacue in hoc quod erat in soca regis et comitis et lxxxi in occupatione castelli. In burgo sunt adhuc l domus de quibus non habet rex suam consuetudinem.³ Ex hiis habet Rainaldus

Stigand also held a church of S^t Michael to which are laid 112 acres of land and 6 of meadow and one plough, this William the Bishop holds but not of his bishoprick. And the burgesses held 15 churches to which pertained in alms 181 acres of land and meadow, and 12 burgesses held a church of Holy Trinity in the time of King Edward, now the Bishop of the gift of King William. The King and Earl held 180 acres of land. The Abbot had the half of the church of S^t Laurence and one house of S^t Edmund. This was the whole in the time of King Edward. Now there are in the burgh 665 English burgesses and they render customs and 480 bordars who on account of poverty render no custom. And in that land which Stigand held in the time of King Edward there remain now, of those above-mentioned, 39 burgesses and in it are 9 houses void. And in that land of which Herold had soc there are 15 burgesses and 17 houses void which are in occupation of the castle. And in the burgh are 190 houses void in that which was in the soke of the King and Earl and 81 in occupation of the castle. In the burgh there are moreover 50 houses of which the King has not his custom. Of these Rainald a man of Roger Bigot has 2 houses and 2

¹ Blomefield, with reason, would correct this to "xi."

² On the reason why so many "mansure" were now void, and the meaning of the phrase "in occupatione castelli," see Introduction I. 7.

³ These 50 are thought to be freeholders by ancient right, but some of them might be connected with the obligation of castle-guard.

homo Rogeri bigot ii domos et ii mansuras et Robertus Baro ii domos et Abbas i domum et Rabel ii domos et ii mansure. Et ii mansure quas tenent ii femine et Ascolf anglicus i domum et Teodbald homo abbatis sancti E. i domum et Burghard i domum et Wala i domum et Willelmus homo Hervi b[urgensis] i domum et Meinardus vigil i domum et Mein burgenses¹ i domum et Hervius deß i domum et Radulfus arbalistarius ii domos et i mansuram et Hereberd fossator iii domos et Rogerus Petuinus ii domos et Meinard homo Abbatis de sancto Benedicto i domum et Petrus homo Abbatis sancti E. i mansuram et Euerwinus burgensis i domum et Baldewinus i domum et Willelmus i Anglicus i domum et Gerardus vigil i domum Robertus lorimarius i mansuram et Hildebrand lorimarius i domum et Godwinus burgensis i domum et Willelmus homo Hermeri i domum et Gisbertus vigil i domum et Fulbertus quidam sacerdos Hermeri i domum et Walterus i domum et Reinoldus filius Iuonis i domum et Ricardus de Sentebor i domum et Hugo homo Willelmi de Scoies i domum.

Et homines episcopi x domos et in propria curia² episcopi xiiii

“mansure” and Robert Baro has two houses and the Abbot 1 house and Rabel 2 houses and 2 “mansure,” and 2 “mansure” which 2 women hold and Ascolf an Englishman has 1 house and Teodbald a man of the Abbot of St. Edmund 1 house and Burghard 1 house and Wala 1 house and William a man of Hervy the burgess 1 house and Meinard the watchman 1 house and Mein the burgess 1 house and Hervy deß 1 house and Ralph the arbalister 2 houses and 1 “mansura” and Hereberd the ditcher 3 houses and Roger of Poitou 2 houses and Meinard a man of the Abbot of St. Benet 1 house and Peter a man of the Abbot of St. Edmund 1 “mansura” and Euerwin the burgess 1 house and Baldewin 1 house and William an Englishman 1 house and Gerard the watchman 1 house and Robert the lorimer 1 “mansura” and Hildebrand the lorimer 1 house and Godwin the burgess 1 house and William a man of Hermer 1 house and Gisbert the watchman 1 house and Fulbert a certain priest of Hermer 1 house and Walter 1 house and Reinold the son of Ivo 1 house and Richard de Sentebor 1 house and Hugo son of William de Scoies 1 house.

And the men of the Bishop [have] 10 houses and in the Bishop's

¹ This seems to be no more than the name of a burgess. But some take it as a title of a class of burgesses, “middle” or lesser burgesses, such as those called “minores” in Derby (*Domesday Book*, i. 280).

² Private enclosure.

mansure quas dedit W. rex Æ. ad principalem sedem episcopatus,¹ et Gislebertus arbalistarius i domum et ii masure et Willelmus de Scoies i domum et Meinardus i domum Abbas de Eli i mansura. Et in burgo tenent burgenses xliii capellas. Et tota hec Willa reddebat t. r. E. xx libras regi et comiti x libras et preter hoc xxi solidos et iiii denarios prebendarios et vi sextarios mellis et i ursum et vi canes ad ursum Et modo lxx libras pensum regis et c solidos ad numerum de gersuma regine et i asturconem et xx libras blancas comiti et xx solidos gersuma adnumerum G.

Et ecclesiam sanctorum Simonis et Jude tenuit Almarus episcopus² t. r. E., post Erfastus,³ modo Willelmus⁴ huic adjacent iii partes unius molendini et dimidia acra prati et i mansura et non est de episcopatu set de patrimonio Almari episcopi. In burgo habet ii acras prati de episcopatu et valent xx solidos. Ewicman tenuit t. r. E. i carucatam terre et dimidiam et xvi acras de pastura et vii acras prati sub Stigando modo Rainaldus filius Ivonis, tunc et post i caruca modo ii, semper valuit xxx solidos.

own court are 14 "mansure" which King William gave to Æ[rfast] for the principal seat of the bishoprick and Gislebert the arbalister [has] 1 house and 2 "mansure" and William de Scoies 1 house and Meinard 1 house [and] the Abbot of Ely 1 "mansura." And in the burgh the burgesses have 43 chapels. And this whole Vill rendered in the time of King Edward £20 to the King and £10 to the Earl and besides this 21s. and 4d. in prebends and 6 sextaries of honey and 1 bear and 6 dogs for the bear. And now £70 by weight to the King and 100s. by tale of the Queen's payment and 1 falcon and £20 blanch to the Earl and 20s. payment by tale to G[odric].

And the church of Saints Simon and Jude Almar the Bishop held in the time of King Edward, afterwards Erfast, now William, to it are laid 3 parts of 1 mill and half an acre of meadow and 1 "mansura" and it is not of the bishoprick but of the patrimony of Bishop Almar. In the burgh he has 2 acres of meadow of the bishoprick and they are worth 20s. Ewicman held in the time of King Edward 1 carcate of land and an half and 16 acres of pasture and 7 acres of meadow under Stigand, now Rainald son of Ivo, then and afterwards 1 plough now 2,

¹ On this gift, see Introduction I. 8.

² Aylmer, brother of Stigand, was Bishop of Elmham from 1047 to 1070.

³ Succeeded Aylmer as Bishop of Elmham, removed the See to Thetford in 1075, and died in 1084.

⁴ William de Beaufeu, Bishop of Thetford from 1084 to 1091.

De burgensibus qui manserunt in burgo de Norwic abierunt¹ et manent in Beccles villa Abbatis sancti Edmundi xxii et vi in Humilgar Hundredo et dimiserunt burgum et in Torp regis i et in terra Rogeri Bigot i et sub W. de Noies i et Ricardus de Sent Cler i. Isti fugientes et alii remanentes omnino sunt vastati partim propter forisfacturas R. comitis partim propter arsuram partim propter geltum regis partim per Walerannum.²

In hoc burgo si vult episcopus potest habere i monetarium.

In burgo erat quedam vasta domus, hanc accepit Rannulfus filius Walteri de dono regis. Et Walterus diaconus i domus habet in burgo set non fuit t. r. E. et ii acras prati de sancto Sepulcro abstulerunt ii homines R. comitis, post rehabuit presbyter concessu vicecomitis. Radulfus comes tenuit xiiii acras terre et i acram et dimidiam prati post tenuit Aluuardus de Niwetuna.

Terra burgensium.—In Hundret de Humiliart semper lxxx acre et xiiii bordarii et i caruca et iii acre prati et valent xiiii solidi et iiii denarii.

it was always worth 30s. Of the burgesses who dwelt in the burgh of Norwich 22 departed and dwell in Beccles a vill of the Abbot of St. Edmund and 6 in Humilgar hundred and have forsaken the burgh, in King's Thorp 1, and on the land of Roger Bigot 1, and under William de Noies 1 and Richard de Sent Cler 1. Those who fled and others who remain are altogether wasted partly through the forfeitures of Earl Ralph, partly through burning, partly because of the King's gelt, partly by Waleran.

In this burgh the Bishop, if he wishes, can have 1 moneyer.

In the burgh was a certain waste house, this Rannulf son of Walter received of the King's gift. And Walter the deacon has 1 house in the burgh, but it was not in the time of King Edward, and 2 men of Earl Ralph took away 2 acres of meadow of Saint Sepulchre, afterwards the priest had it again by grant of the Sheriff. Earl Ralph held 14 acres of land and 1 acre and an half of meadow, afterwards Alward de Newton held them.

The land of the burgesses in the hundred of Humiliat was always 80 acres and there were 14 bordars and 1 plough and 3 acres of meadow and they are worth 13s. and 4d.

¹ In consequence of the rebellion of Earl Ralph. See Introduction I. 7.

² Round, (*Victoria County Histories*, Essex, i. 419), thinks Waleran had farmed Norwich as he did Colchester.

*Franci de Norwic.*¹—In nouo Burgo xxxvi burgenses et vi anglici et ex annua consuetudine reddebat unus quisque i denarium preter forisfacturas, de hoc toto habebat rex ii. partes et comes terciam. Modo xli burgenses franci in dominio regis et comitis, et Rogerus Bigot habet l. et Radulfus de Bellafago xiiii et Hermerus viii et Robertus arbalistarius v, et Fulcherus homo Abbatis i et Isac i et Radulfus Vise lupi i et in pistrino comitis iii habet Robertus Blundus et Wimerus i mansuram vastam.

Tota hec terra burgensium erat in dominio comitis Radulfi et concessit eam regi in commune ad faciendum burgum inter se et regem ut testatur vicecomes. Et omnes terre iste tam militum quam burgensium reddunt regi suam consuetudinem. Est etiam in nouo burgo quedam ecclesia quam fecit Radulfus comes, et eam dedit suis capellanis. Modo eam tenet quidam sacerdos vicecomitis de dono regis nomine Wala et valet lx solidos et, quandiu Rodbertus Blundus comitatum tenuit, habuit inde unoquoque a° i unciam auri.

*Terre sancti Michahelis de Norwic.*² *Hundret de Taverham.*—In Tauerham i carucatam terre tenuit sanctus M. tempore regis

The Frenchmen of Norwich.—In the new Burgh 36 burgesses and 6 English and of annual custom every one paid 1d. besides forfeits, of all this the King had two parts and the Earl a third. Now 41 French burgesses in the demesne of the King and the Earl, and Roger Bigot has 50 and Ralph de Bellofago 14 and Hermer 8 and Robert the Arbalister 5 and Fulcher a man of the Abbot 1, and Isaac 1, and Ralph Vise de Loup 1, and in the Earl's bakehouse Robert Blund has 3, and Wimer has 1 waste "mansura."

All this land of the burgesses was in the demesne of the Earl Ralph and he granted it to the King for a common [holding] to make a burgh between himself and the King as the Sheriff testifies. And all these lands, as well of knights as of burgesses, render to the King their custom. There is also in the new burgh a certain church which Earl Ralph made and gave it to his chaplains. Now a certain priest of the Sheriff holds it by gift of the King, by name Wala and it is worth 60s. and as long as Robert Blund held the county he had therefrom every year an ounce of gold.

The Lands of St. Michael of Norwich. *Hundred of Taverham.*—In Taverham Saint Michael held 1 carucate of land in the time of King

¹ For comments on the French or New Burgh, see Introduction I. 6.

² *Domesday Book*, ii. 201b.

Edwardi et Stigandus sub eo semper iiii villani & ii bordarii semper i caruca in dominio & i caruca hominum and iiii socmen and ii acre terre semper viii acre prati silua xii porcorum & valuit xx solidos.

Edward and Stigand under him. Always 4 villans and 2 bordars, always 1 plough in demesne and 1 plough of the men and 4 socmen and 2 acres of land, always 8 acres of meadow [and] wood for 12 swine and it was worth 20s.

II. Extracts from the Early Pipe Rolls.¹

1. 31 *Henry I.* (1130).—Et idem Vicecomes reddit Compotum de auxilio de Norwico. In thesauro xxvli. Et in Pardon' per breve Regis Burgensibus de Norwico cs. Et Quieti sunt.

The same Sheriff renders account of the aid of Norwich. In the Treasury £25. And in pardons [sums excused] by the King's Writ to the Burgesses of Norwich 100s. And they are quit.

2. 3 *Henry II.*—Idem Vicecomes reddit compotum de liiili. de firma dimidii anni de Norwico.

The same Sheriff renders account of £54 of farm of half a year of Norwich.

Et in Norwico per se cviii. (From Hall, *Liber Rubeus Scaccarii*, iii., 787, 789.)

3. 4 *Henry II.* [*Translation*].—The same Sheriff renders account of 300 marks of silver from the Burgesses of Norwich.² In the Treasury £19. And in the King's Chamber to Geoffrey the Monk [Gaufrido Monacho] £65 6s. 8d. And to the same £49. And to Ralph Fitz Stephen £66 13s. 4d. And he is quit.

4. 7 *Henry II.*—Rand' prepositus Norwici debet cs. Walterus filius Edstani³ debet xls.

Rand' the Reeve of Norwich owes 100s. Walter Fitz Edstan owes 40s.

¹ These are taken from the Public Record Office and are not among the City Muniments.

² Perhaps in return for the King's Charter. See Introduction I, 11.

³ This Walter may have been a descendant of the Edstan of *Domesday Book*. See No. I, 1.

5. 11 *Henry II.* [*Translation*].—Adam de Cungesford [Conesford] renders account of 100 marks of amercement [de misericordia]. The same sheriff renders account of £100 for the ship [navi] of Norwich. The same . . . of 40s. from Yarmouth for the same expedition¹ [exercitu].

6. 14 *Henry II.*—The Burgesses of Norwich render account of £200 of the same aid.² . . . The Men of Yarmouth . . . £10.

7. 19 *Henry II.*—The Burgesses of Norwich render account of £133 6s. 8d. of the Assize [of the King's Demesnes³]. In the Treasury £100. And they owe £33 6s. 8d.

8. 21 *Henry II.*—The Burgesses of Norwich owe £16 of the same Assize which remained on account of the destruction of war.⁴

9. 29 *Henry II.*—The Citizens of Norwich render account of 80 marks for exchange [cambio] and for having their liberties⁵ and for having respite of an Assize of Novel Disseisin. They have paid them into the Treasury and are quit.

10. 31 *Henry II.*—The Citizens of Norwich render account of 60 marks because they did not have a Jury as they were summoned.⁶ In the Treasury £39 15s. 4d. And they owe 4s. 8d.

The Citizens of Norwich render account of 20 marks because they have not placed the men of the said city in frankpledge.⁷ In the Treasury 10 marks. They owe 10 marks.

11. 32 *Henry II.*—The balance of the two debts just mentioned is accounted for in this year.

12. 5 *Richard I.*—The same [Sheriff renders account] in payment of 25 knights in the Castle of Norwich for 40 days £50

¹ Against the Welsh.

² For marrying Matilda, the King's daughter.

³ A tax specially laid on the King's Demesnes, in which Norwich was included.

⁴ Hugh Bigod and the Flemings had sacked the city in 1174. (Blomefield, *Hist. Norf.*, iii. 32. *Chron. of Jordan Fantosme*, p. 38.)

⁵ Blomefield (iii. 34) erroneously connects this with Henry's Charter, which he consequently misdates. See Introduction I. 11.

⁶ This may refer to the Assize mentioned in the last entry.

⁷ On Frankpledge in Norwich, see Introduction II. 4. The neglect of the citizens to place the organisation in proper order would not of necessity imply that they had as yet control of it themselves.

by the same writ. And in payment of 25 mounted servants [servientium equitum] for the same term in the same castle £16 13s. 4d. by the same writ. And in payment of 25 servants on foot [servientium peditum] there for the same term £8 6s. 8d. by the same writ.¹

13. 6 *Richard I.*—Homines de Norwic' redd' comp' de liiij*l*.i. blanc' de firma ville de Norwiz de dimidio anno. In thesauro xlix*l*.i. ijs. iiij*d*. blanc'. Et in monialibus de Charrou^a xijs. vjd. de dimidio anno. Et monetariis lxs. Et debent xxviijs. vijd. blanc'.⁴

The men of Norwich render account of £54 blank of the farm of the vill of Norwich for half a year. In the Treasury £49 2s. 4d. blank. And in the Nuns of Carrow 12s. 6d. for half a year. And the Moneyers 60s. And they owe 28s. 7d. blank.

Same year.—Cives de Norwico reddunt compotum de cc marcis pro habenda confirmacione libertatum Civitatis sue per cartam domini Regis Ricardi et pro habenda civitate in manu sua ita ut respondeant de firma debita ad Scaccarium in termino sancti Michaelis. In thesauro liberaverunt. Et quieti sunt.⁵

14. 7 *Richard I.*—The Citizens of Norwich render account of £108 blank of farm for this year. In the Treasury £96 16s. 1d. And in the Nuns of Carrow 25s. And in default of moneyers £6. And they owe £4 6s. 2d. blank.⁶

¹ This entry does not properly concern the Citizens of Norwich. It belongs to the Sheriff's Account for the County of Norfolk. It is inserted as a specimen of several interesting entries relating to the Castle in the early Pipe Rolls.

² An abatement of 25s. on the yearly fee farm rent was allowed on account of a grant of land to that annual value made by King Stephen for the foundation of Carrow Nunnery. (*Rot. Pat.*, 26 *Hen. VI.*)

³ Norwich was allowed 6 Moneyers. If their services had been suspended for a year, an abatement of £1 for each so suspended was made in the "firma."

⁴ "Blank" money was bullion blanched or tested by fire. Instead of the testing, the persons accounting to the Exchequer might tender an addition of one shilling in the pound with proportionate parts. Thus, for £108 blank the accepted tender was £113 8s. 0d. The Pipe Roll of 32 E. III. states, "The Citizens of Norwich owe £113 8s. 0d. by tale for £108 blank of the fee farm of their town as is contained in the 5th and 14th Rolls of Edward son of King Henry." The balance of "£1 8s. 7d. blank" seems to be arrived at by reckoning the £3 12s. 6d. abatement as equivalent to £3 9s. 1d. blank.

⁵ For translation, see Introduction II. 2.

⁶ In this year the Norwich farm is entered as an addition to the account of the Sheriff of Norfolk, as is that of Ipswich, which had also commenced the previous year. After this year both are entered separately. In this statement £96 16s. 1d. must be

THE CHARTERS.

III. Charter of King Henry II.¹ [c. 1158.]

Henricus Rex Anglie et Dux Normannie et Aquitanie et Comes Andegavie omnibus Archiepiscopis Episcopis Abbatibus Comitibus Baronibus Justiciariis Vicecomitibus Ministris et omnibus fidelibus suis Francis et Anglis salutem. Sciatis me concessisse et presenti carta confirmasse burgensibus meis de Norwico omnes consuetudines et libertates et quietancias quas habebant tempore Henrici Regis avi mei ita plene et honorifice et quiete sicut ipsi eas plenius et honorabilius et quietius habuerunt tempore Regis Henrici avi mei. Quare volo et firmiter precipio quod omnes illas habeant plene et honorifice sicut eas tunc habuerunt tam consuetudines suas quam etiam responsa sua tempore meo et temporibus heredum meorum et si aliquis post mortem Regis Henrici avi mei in tempore Regis Stephani a consuetudinibus eorum et scottis se foras misit precipio quod ad eorum societatem et consuetudinem revertatur et scottum ipsorum sequatur quia nullum ex eis inde quietum clamo. Testibus Willelmo fratre Regis, Henrico de Essexia Constabulario, Ricardo de Humes Constabulario, Manasse Biset Dapifero, Warino filio Geroldi Camerario, apud Westmonasterium.²

TRANSLATION.

Henry King of England and Duke of Normandy and Aquitaine and Count of Anjou to all Archbishops Bishops Abbots Earls Barons Justices Sheriffs Ministers and all his faithful [subjects] French and English greeting. Know that I have granted and by [this] present charter have confirmed to my burgesses of Norwich all the customs and liberties and quittances which they had in the time of King Henry my grandfather as fully and honourably and quietly as they most fully and honourably and quietly had them in the time of King Henry my grandfather. Wherefore I will and firmly enjoin that they have them all fully and

"blank," and the abatements of £7 5s. 0d. must be reckoned as £6 17s. 9d. blank. The City Mint was entirely suspended. For some remarks on this matter, see Andrew, in *Numismatic Chronicle*, 4th Series, Vol. I., pp. 326 *et seq.*; and Round in *Eng. Hist. Rev.*, April, 1903, p. 305.

¹ On this Charter and its date, see Introduction I. II. The tin box in which the Charter has been kept for a long time is inscribed "5 H. II," which year began 19th December, 1158. But Henry was not in England at any time during that year of his reign.

² Only fragments of the Seal remain.

honourably as they had them then, as well their customs as their answers, in my time and in the time of my heirs, and if any one after the death of King Henry my grandfather, in the time of King Stephen, withdrew himself from their customs and scots, I enjoin that he return to their society and custom and follow their scot because I quitclaim no one of them therefrom. [These being] witnesses, William brother of the King, Henry de Essex Constable, Richard de Humes Constable, Manasseh Biset Steward, Warin FitzGerold Chamberlain, [Given] at Westminster.

IV. Charter of King Richard I.¹ [5 May, 1194.]

Ricardus Dei gratia Rex Anglie Dux Normannie Aquitanie Comes Andegavie Archiepiscopis Episcopis Abbatibus Comitibus Baronibus Justiciariis Vicecomitibus Ballivis Ministris et omnibus fidelibus suis Francis et Anglis salutem. Sciatis nos concessisse ciuibus nostris Norwici quod nullus eorum placitet extra ciuitatem Norwici de nullo placito preter placita de tenuris exterioribus, exceptis monetariis et ministris nostris. Concessimus eis eciam quietanciam murdri² et gawitam³ infra ciuitatem et quod nullus eorum faciat duellum⁴ et quod de placitis ad coronam pertinentibus se possint disracionare secundum consuetudinem ciuitatis Londonie, et quod infra ciuitatem illam nemo hospitetur uel capiat quicquam per uim. Hoc eciam eis concessimus quod omnes ciues Norwici sint quieti de thelonio et lestagio⁵ per totam Angliam et portus maris, et quod nullus de misericordia pecunie iudicetur nisi secundum legem quam habent ciues nostri Londonie, et quod in ciuitate illa in nullo placito sit miskeninga,⁶ et quod husting⁷ semel in ebdomada tantum teneatur, et quod terras suas et tenuras et vadia sua et debita sua omnia iuste habeant quicunque eis debeat, et de terris suis et tenuris que infra ciuitatem sunt rectum eis teneatur secundum consuetudinem ciuitatis, et de omnibus debitis suis que accomodata fuerint apud Norwicum et de uadiis ibidem factis placita apud Norwicum teneantur. Et si quis in tota Anglia

¹ See Introduction II. 1.

² A fine for an unexplained murder.

³ A fine for neglecting to keep watch and ward. (Gross, *Gild Merchant*, ii., p. 495.)

⁴ A judicial combat.

⁵ A payment for trading in markets and fairs.

⁶ Probably an arbitrary fine for an alleged variation in a plea during the pleading.

⁷ A Danish name for a borough court, chiefly used in London. See Introduction

thelonium uel consuetudinem ab hominibus Norwici ceperit postquam a recto defecerit Prepositus Norwici namium inde apud Norwicum capiat.¹ Has predictas consuetudines eis concessimus et omnes alias libertates et liberas consuetudines quas habuerunt uel habent ciues nostri Londonie quando meliores uel liberiores habuerunt secundum libertates Londonie et leges ciuitatis Norwici. Quare uolumus et firmiter precipimus quod ipsi ciues et heredes eorum hec omnia predicta cum ciuitate et pertinenciis eius hereditarie habeant et teneant de nobis et de heredibus nostris reddendo per annum centum et octo libras esterlingorum numero² de Ciuitate Norwici per manum prepositi Norwici ad Scaccarium nostrum in termino Sancti Michaelis. Et ciues Norwici faciant prepositos³ de se per annum qui sint idonei nobis et eis. Hiis testibus, Herberto, Sarisburiensi Electo, Willelmo de Sancte Marie ecclesia, Decano Moreton, Magistro Eustachio Decano Sarisburiensi, Magistro Philippo, Comite Willelmo Sarisburiensi, Gaufrido filio Petri, Roberto filio Rogeri, Roberto de Tresgoz Dapifero, Willelmo de Mallion, Willelmo de Stagno. Data apud Portesmutam per manum Willelmi de Longo Campo Elyensis Episcopi Cancellarii nostri Quinto die Maii Regni nostri anno quinto.⁴

TRANSLATION.

Richard by the grace of God King of England Duke of Normandy [and] Aquitaine Count of Anjou to the Archbishops Bishops Abbots Earls Barons Justices Sheriffs Bailiffs Ministers and all his faithful subjects French and English greeting. Know that we have granted to our citizens of Norwich that none of them plead outside the city of Norwich concerning any plea except pleas of outside tenures, our moneyers and ministers excepted. We have also granted to them quittance of murder and gawite within the city, and that none of them wage battle, and that concerning pleas belonging to the crown they may clear themselves according to the custom of the city of London, and that no one shall lodge within the city or take anything by force. This also we have granted to them that all the citizens of Norwich be quit of toll and lastage

¹ The process called "withernam," or seizure of goods by way of reprisal. The goods of any trader from the town whence the offender came might be seized.

² By tale or count. It appears, however, from the Pipe Rolls of 6 and 7 Rich. I., and from the Charter of King John, that the farm actually demanded was £108 blank, or £113 8s. od. by tale. See above, No. II. 13.

³ As to the question whether there may have been two Reeves at this time, see Introduction II. 11.

Seal in red wax, in fairly perfect condition.

through all England and the ports of the sea. And that none of them be judged in an amercement of money save according to the law which our citizens of London have. And that in the city there be no miskenning in any plea. And that the husting be held once only in the week. And that they may justly hold their lands and tenures and their bonds and all their debts, whoever owes to them; and that concerning their lands and tenures which are within the city right shall be done to them according to the custom of the city; and concerning all their debts which shall have been contracted at Norwich and bonds there made pleas shall be held at Norwich. And if any one in all England shall have taken toll or custom from the men of Norwich, after he has made default in [doing] right, the Reeve of Norwich may take a distress therefor at Norwich. These aforesaid customs we have granted to them and all other liberties and free customs which our citizens of London had or have, when they had the best and freest, according to the liberties of London and the laws of the city of Norwich. Wherefore we will and firmly enjoin that the said citizens and their heirs have and hold hereditarily of us and of our heirs all the aforesaid [grants] together with the city and its appurtenances rendering yearly £108 sterling by tale from the City of Norwich by the hand of the Reeve of Norwich at our Exchequer at the term of St Michael. And the citizens of Norwich may make Reeves of themselves yearly such as shall be agreeable to us and them. These being witnesses, Herbert, Bishop Elect of Salisbury, William of St Mary Church, Dean of Mortain, Master Eustace, Dean of Salisbury, Master Philip, William Earl of Salisbury, Geoffrey FitzPeter, Robert FitzRoger, Robert de Tresgoz, Steward, William de Mallion, William de Stagno. Given at Portsmouth by the hand of William de Longchamp, Bishop of Ely, our Chancellor, on the 5th day of May in the 5th year of our reign.

V. Charter of King John. [22 Sept. 1199.]

The same as the preceding Charter, issued in the name of John, with the following differences:—

In the style after "Rex Anglie" is added "Dominus Hybernie."

In the address, after "Sheriffs" comes "to Reeves and all Bailiffs."

In the render, instead of "numero" is "blanceas."

Witnesses: Herbert Bishop of Salisbury, Simon Archdeacon of Welles, John de Grey, John de Brauncester, Ralph Earl of Chester, William Earl of Arundell, Robert Earl of Leicester, Philip FitzRobert, William de Huntingfeld. "Given by the hand of

Hubert Archbishop of Canterbury our Chancellor at Caen the 22nd day of September in the first year of our reign.”¹

VI. First Charter of King Henry III. [13 Feb. 1228/9.]

The same as the preceding, issued in Henry's name, with one addition.

After “may make Reeves of themselves yearly such as shall be agreeable to us and them” is added “as the Charters of King Henry our Grandfather” and Richard our Uncle and the lord king John our Father which they have thereon reasonably testify.”

The Charter then proceeds:

“We have granted also to the said citizens and we enjoin that all those who have residence in the city of Norwich and who have shared in the liberties which we have granted to the said citizens of Norwich may be taxed and give aid as the aforesaid citizens of Norwich when tallages and aids shall have been laid upon them. We have also granted to them for us and our heirs that if any one has withdrawn himself from their customs and scots, he return to their society and custom and follow their scot, so that none be quit thereof. These being witnesses, Joceline Bishop of Bath, Richard Bishop of Durham, Walter Bishop of Carlisle, Hubert de Burgh Earl of Kent Justiciar of England, Stephen de Segrave, Philip de Albany, Nicholas de Molis, John FitzPhilip, Richard FitzHugh, and others. Given by the hand of the venerable Father Ralph Bishop of Chichester our Chancellor, at Westminster on the 13th day of February in the 13th year of our reign.”³

VII. Second Charter of Henry III.⁴ [3 June, 1255.]

Henricus Dei gratia Rex Anglie . . . salutem. Sciatis nos concessisse & hac carta nostra confirmasse dilectis ciuibus nostris de Norwico quod ipsi & eorum heredes in perpetuum habeant hanc libertatem per totam terram & potestatem nostram

¹ No Seal left.

² The Charter of Henry II. makes no mention of Reeves. The title must be understood here to include “Bailiffs,” who must for some years have been substituted for “Reeves.”

³ There is a duplicate; both Seals fragmentary.

⁴ Introduction III. 4.

videlicet quod ipsi vel eorum bona quocunque locorum in potestate nostra inuenta non arestentur pro aliquo debito de quo fideiussores aut principales debitores non extiterint nisi forte ipsi debitores de eorum sint communia et potestate habentes unde de debitis suis in toto vel in parte satisfacere possint et dicti cives creditoribus eorundem debitorum in iusticia defuerint & de hoc rationabiliter constare possit. Quare volumus & firmiter precipimus pro nobis & heredibus nostris quod predicti cives et eorum heredes in perpetuum habeant hanc libertatem prescriptam per totam terram & potestatem nostram sicut predictum est. Et prohibemus super forisfacturam nostram decem librarum ne quis eos contra libertatem predictam in aliquo iniuste vexet disturbet vel inquietet. Hiis testibus Venerabilibus patribus Fulcone London' Waltero Wygorn' episcopis, Johanne de Plessetis comite Warrewyk, Johanne Maunsell preposito Beuerlac, Henrico de Bathon', Henrico de Bretton, Willelmo de Grey, Imberto Pogeis, Willelmo de Sancta Ermin, Petro Euerard & aliis. Data per manum nostram apud Wodestok tercio die Junii anno regni nostri tricesimo nono.¹

TRANSLATION.

Henry by the grace of God King of England . . . greeting. Know that we have granted . . . to our beloved citizens of Norwich . . . that they or their goods in whatsoever place within our power they may be found may not be arrested for any debt concerning which they have not been sureties or principal debtors, unless it chance that the said debtors be of their commune and power having whereof they can give satisfaction concerning their debts in whole or in part and the said citizens have failed in justice to the creditors of the said debtors. Wherefore we will . . . These being witnesses, the Venerable Fathers Fulk Bishop of London, Walter Bishop of Worcester, John de Plessis Earl of Warwick, John Maunsell Reeve of Beverly, Henry de Bath, Henry de Bretton, William de Grey, Imbert Pogeis, William de S^t Ermin, Peter Everard, and others. Given by our hand at Woodstock on the 3rd day of June in the 39th year of our reign.

VIII. Third Charter of Henry III.² [25 March, 1256.]

Henricus &c. . . . salutem. Sciatis nos concessisse & hac carta nostra confirmasse pro nobis & heredibus nostris dilectis ciuibus nostris de Norwico quod ipsi in perpetuum habeant returnum

¹ With duplicate ; both Seals much damaged.

² Introduction III. 4.

omnium breuium nostrorum tam de summonicionibus scaccarii nostri quam de aliis ciuitatem nostram de Norwico & libertatem eiusdem Ciuitatis tangentibus & quod iidem Ciues respondeant ad scaccarium nostrum per manus suas proprias de omnibus debitis & demandis ipsos Ciues contingentibus. Et quod nullus Vicecomes aut alius Balliuus noster decetero intret ciuitatem predictam ad districtiones faciendas pro aliquibus debitis nisi est pro defectu Ciuium predictorum & quod nullus eorum compellatur ad placitandum extra ciuitatem predictam pro aliquibus transgressionibus in ciuitate illa factis contra tenorem cartarum suarum & contra libertates suas. Et quod singuli mercatores communicantes libertatibus suis & mercandis sint ad lottum & scottum eorundem ciuium & ad auxilia prestanda ubicunque fecerint residenciam sicut esse debent & solent. Et quod nulla Gilda¹ decetero teneatur in ciuitate predicta ad detrimentum eiusdem ciuitatis. Quare volumus & firmiter precipimus pro nobis & heredibus nostris quod predicti ciues in perpetuum habeant omnes libertates prescriptas sicut predictum est. Et prohibemus super forisfacturam nostram ne quis contra hanc libertatem & concessionem nostram ipsos inquietare molestare vel grauare presumat. Hiis testibus Venerabili patre W. Norwicensi episcopo Guidone de Lezign' & Willelmo de Valenc' fratribus nostris Rogero de Thurkilly Magistro Simone de Wauton Willelmo de Grey Guidone de Rocheford Petro Euerard Bartholomeo le Bigot Willelmo Gernun & aliis Data per manum nostram apud Norwicum vicesimo quinto die Marci anno Regni nostri quadragésimo.²

TRANSLATION.

Henry, &c. . . . greeting. Know that we have granted . . . to our beloved Citizens of Norwich that they may for ever have return of all our writs as well of summonses of our Exchequer as of others touching our City of Norwich and its liberty. And that the said Citizens may answer to our exchequer by their own proper hands concerning all debts and demands touching the said Citizens. And that no Sheriff or other Bailiff of ours henceforth enter the aforesaid City to make distrains for any debts unless it is for default of the aforesaid Citizens & that none of them be compelled to plead outside the city for any trespasses done in the city, contrary to the tenor of their charters & contrary to their liberties.

¹ Craft Gild not Merchant Gild. The clause will be considered in Vol. II., in connection with the City Gilds.

² Both Seals, in green wax, in fair condition.

And that all merchants sharing in their liberties and merchandise be at the lot & scot of the said citizens & at contributing aids wheresoever they make their residence as they ought & are wont to be. And that no Gild henceforth be held in the city to the detriment of the said city. Wherefore we will . . . These being witnesses, the Venerable Father William Bishop of Norwich, Guy de Lusignan & William de Valence our brothers, Roger de Thurkilly, Master Simon de Walton, William de Grey, Guy de Rocheford, Peter Everard, Bartholomew Bigot, William Gernun & others. Given by our hand at Norwich on the 25th day of March in the 40th year of our reign.

IX. First Charter of Edward 1st. (*Abstract.*) [27 May, 1285.]

Edward by the grace of God &c. . . . greeting. We have inspected a Charter which the lord Henry King of England our father made to our citizens of Norwich in these words, Henry &c. . . .

[Then follows the Charter of 13 Henry III.]

We have inspected also a Charter of the said lord Henry &c.

[Then follows the Charter of 40 Henry III.]

Now we ratifying & approving the grants with respect to the said liberties made to our citizens of Norwich for us & our heirs as much as in us is grant & confirm them as the aforesaid charters reasonably testify.

Witnesses, the Venerable Fathers Robert Bishop of Bath and Wells, Anthony Bishop of Durham & Thomas Bishop of St Asaph, Edmund our brother, William de Valence our Uncle, Edward Earl of Cornwall, Gilbert de Clare Earl of Gloucester & Hertford, Roger le Bygod Earl of Norfolk & Marshall of England, John de Warren Earl of Surrey, Henry de Lacy Earl of Lincoln, William de Beauchamp Earl of Warwick, Richard de Burgh Earl of Ulster, John de Vesey, Reginald de Grey, Robert Tybotot, Thomas de Weylaund, John de Lovetot and others. Given by our hand at Westminster on the 27th day of May in the 13th year of our reign.¹

Irestede.

X. Second Charter of Edward I. (*Translation.*) [8 July, 1305.]

Edward by the grace of God &c. . . . greeting. Know that for a fine which our Citizens of our City of Norwich have

¹ With duplicate ; both Seals, in green wax, much damaged.

made with us before our Council and for 10 pounds annual which the said Citizens and their successors Citizens of the said City shall pay to us every year for ever to our exchequer & of our heirs in augmentation of their farm of the aforesaid City have granted & by this our charter have confirmed to the said Citizens & their successors for us & our heirs that none of them plead or be impleaded outside the said City of Norwich of any pleas assizes or complaints concerning any tenures being within the said city nor of any trespasses or contracts done within the city unless the matter specially touches us or our heirs. And that the said Citizens or their successors shall not be convicted by any foreigners upon any internal appeals accusations claims trespasses contracts or demands but only by their fellow citizens unless the deed touches us or our heirs or the whole community of the city.¹ And also that they be not summoned nor put on any assizes juries or inquests concerning internal tenures or with respect to any deed contract claim or plaint in any way arising in the said city nor make any recognisances in those assizes or juries outside the said City unless the deed specially touches us or our heirs. We have further granted to the said Citizens for us & our heirs that they & their successors for ever be quit of toll pontage passage murage pavage lastage carriage picage cayage & rivage through our whole kingdom & power. And that no one of the said City or any other in the said City indicted or arrested for any fault or cause soever shall be imprisoned anywhere save in our prison of the said City but all there indicted or arrested shall be detained in that prison & guarded by our bailiffs of the said City until they shall be delivered therefrom according to the law & custom of our kingdom, unless they be removed therefrom by special precept of us or our heirs or by precept of our Justice of the Forest for the time being if perchance they be indicted for any trespass of the forest & on that charge² taken and detained. And that all summonses distraints & attachments & other regal offices whatsoever³ which shall arise within the said City or its suburbs shall be executed⁴ by our bailiffs of the said City. So that no Sheriff Coroner or other foreign Bailiff or Minister of ours shall exercise or in any

¹ Et quod Ciues illi vel successores sui predicti super aliquibus appellis rectis calumpniis transgressionibus contractibus aut demandis intrinsicis per aliquos forinsecos minime conuincantur set solummodo per conciuces suos &c.

² Ea occasione.

³ Alia officia regalia.

⁴ Facienda fiant.

way execute any regal office in the City that is to say within the ditches of the said City & the river of Wensum or in the suburb aforesaid unless in default of our bailiffs of the City. And it shall be lawful for our bailiffs of the said City for the time being to assess as often as need shall be tallages & other reasonable aids upon the Community of the said City by assent of the whole Community or the greater part thereof for the protection and common utility of the City within itself and for levying those tallages & aids to make reasonable distrains as heretofore in other Cities has reasonably been wont to be done. And we have granted to them for us & our heirs that they & their successors have & hold our leet of Neugate¹ in the said City which we have lately recovered against the Prior of the Holy Trinity of Norwich in our Court before us by decision² of the said court & which is valued at 2 shillings yearly³ & that they receive amercements & all other profit issuing therefrom in any way for ever. And if perchance the Citizens have heretofore not fully used any of the liberties before granted to them or their successors citizens of the said City by charters of us or our progenitors sometime Kings of England we will & grant for us & our heirs that they & their successors may reasonably enjoy & use those liberties, at whatever time occasion shall henceforth occur that they may use them, fully & without hindrance of us or our heirs or our ministers whomsoever. Wherefore we will &c. . . . These being witnesses, the Venerable Fathers Richard Archbishop of Canterbury Primate of All England, A[nthony] Bishop of Durham, Humfrey de Bohun Earl of Hereford & Essex, Guy de Beauchamp Earl of Warwick, John de Britain junior, Robert de Clifford, William de Brewse, William de Leyburne, Thomas de Bykenore and others. Given by our hand at Canterbury on the 8th day of July in the 33rd year of our reign.⁴

On the dorse.

Irrotulatur in Banco coram R. de Hengham & sociis suis Justiciariis &c. in secundo rotulo de cartis & protectionibus irrotulatis de termino Sci Michaelis anno regni regis E. filii regis H. tricesimo tercio.

Irrotulata est in rotulis Regis coram ipso Rege in termino Pasche Anno regni ipsius Regis Edwardi tricesimo quarto. Rotulo xliiij^o.

¹ Newgate was the district traversed by the street now called Surrey Street.

² Consideracionem.

³ Ad duos solidos extenditur per annum.

⁴ With duplicate ; both Seals damaged.

XI. First Charter of Edward II.¹ (*Translation.*) [2 February, 1325/6.]

Edward by the grace of God &c. . . . greeting. Know ye that whereas our beloved Citizens of our City of Norwich hold of us our aforesaid City at fee farm & the said Citizens have given us to understand that by the frequent comings of our Justices assigned² to take assizes juries & certifications & inquests concerning felonies & trespasses & also to deliver our gaols who have held their sessions in divers places within the liberty of the said City appointed for the holding by the Bailiffs of the said City of pleas arising in the said City, wherefrom great part of the said farm issues & have disturbed the said Bailiffs from being able to hold those pleas, they have many times been hindered in the collection & levying of their farm aforesaid, to the grievous damage of the said Citizens, and they have made supplication to us that for their indemnity in that part we would ordain & enjoin that such sessions be held only in our house which is called Shirehouse³ & which is in the fee of our Castle of the aforesaid City, & not elsewhere within the liberty of that City, We favourably approving their supplication in the premisses will & firmly enjoin for us and our heirs that henceforth the Justices Inquisitors & other Ministers of us & our heirs whosoever they be who are assigned for taking any assizes juries certifications & inquests whatsoever or for delivering our gaols or in future to be assigned shall sit & hold their sessions in our house aforesaid which is called Shirehous & not elsewhere within the liberty of the aforesaid City. By this nevertheless we do not will that prejudice should be done to our Chancellor Treasurers Chief Justice or Justices Itinerant or the Steward & Marshalls of the household of us or our heirs that they or any of them when they come to the said City should not sit within the said City & do & exercise the things which belong to them or any of them where & when it shall seem to them to be convenient. In witness whereof we

¹ Incorrectly assigned by Blomefield to 19 Edward I. For its meaning, see Introduction IV. 1.

² County Knights and others appointed frequently by special commission to take assizes of novel disseisin, &c., and try disputes and charges of felony and to deliver the gaols. They were superseding the older Itinerant Justices. No general "Iter" is recorded in Norfolk after 14 Edward I.

³ The County Court of the Sheriff of Norfolk. It was in the Castle Fee and under the jurisdiction of the County, not of the City.

have caused these our letters to be made patent. Witness myself¹ at Walsingham on the second day of February in the 19th year of our reign.²

Edwardus &c. salutem. Sciatis quod cum dilecti nobis Ciues Ciuitatis nostre Norwyci teneant de nobis Ciuitatem predictam ad feodi firmam et iidem Ciues nobis dederunt intelligi quod per frequentes aduentus Justiciariorum nostrorum ad assissas iuratas & certificaciones ac ad inquisiciones de feloniiis & transgressionibus capiendas necnon ad gaolas nostras deliberandas assignatorum qui in diuersis locis infra libertatem Ciuitatis predictae ad placita in eadem Ciuitate emergencia per Balliuos eiusdem Ciuitatis tenenda deputatis unde magna pars firme predictae prouenit sessiones suas fecerunt, & ipsos Balliuos quominus placita illa tenere possent perturbarunt impediti fuerunt multipliciter in collectione & leuatione firme sue predictae in ipsorum ciuium graue dampnum, & nobis supplicauerunt ut pro ipsorum indempnitate in hac parte ordinare velimus & precipere quod sessiones huiusmodi in domo nostra que vocatur Shirehous & que est in feodo Castri nostri Ciuitatis predictae fiant tantummodo & non alibi infra libertatem Ciuitatis illius Nos ipsorum supplicationi in premissis fauorabiliter annuentes volumus & firmiter precipimus pro nobis & heredibus nostris quod decetero Justicarii Inquisitores & alii ministri nostri & heredum nostrorum quicumque assissas iuratas certificaciones & inquisiciones quascumque capiendas aut ad gaolas nostras deliberandas assignati seu in posterum assignandi sedeant & sessiones suas teneant in domo nostra predicta que vocatur Shirehous & non alibi infra libertatem Ciuitatis supradictae. Per hoc tamen preiudicium fieri nolumus Cancellario Thesaurariis Capitali Justiciario vel Justiciariis itinerantibus seu Senescallo & Marescallis hospicii nostri vel heredum nostrorum quin ipsi & eorum quilibet cum ad Ciuitatem predictam declinauerint vel declinauerit infra libertatem predictam sedere & ea que ad ipsos vel eorum aliquem pertinent facere & exercere possint vel possit ubi & quando sibi visum fuerit expedire, &c.

XII. Second Charter of Edward II. [3 February, 1325/6.]

Edward by the grace of God &c. greeting. We have inspected a Charter of Confirmation which the Lord Edward sometime King of England our father made to our Citizens of Norwich in these words:

¹ That the grantor of these letters patent was Edward II. is proved by the fact that in the Charter of 1 Richard II. he is called "proavus noster," our great-grandfather. (No. XV.)

² Seal damaged.

[Here follows the Charter of 27 May 13 Edward I.]

We have also inspected a certain other Charter which our said father made to the citizens of Norwich in these words:

[Here follows the Charter of 8 July 33 Edward I.]

Now we ratifying and approving &c. These being witnesses Thomas Earl of Norfolk & Marshall of England our most dear brother, Hugh le Despenser lord of Glamorgan, Robert de Montalt, Thomas Bardolf, Thomas le Blount Steward of our household & others. Given by our hand at Walsingham on the 3rd day of February in the 19th year of our reign.¹

By the King himself. (It is duplicated) Seintpol.

Examined by Michael de Wath.

XIII. First Charter of Edward III. [4 October 1337.]

Edward by the grace of God King of England Lord of Ireland and Duke of Aquitaine &c. . . . greeting. We have inspected a Charter of Confirmation of the Lord Edward of famous memory late King of England our father in these words:

[Here follows the preceding Charter of 3 February 19 Edward II.]

Now we ratifying & approving &c.

Witnesses, the Venerable Fathers John Archbishop of Canterbury Primate of All England, Henry Bishop of Lincoln, Master Robert de Stretford Elect & confirmed of Chichester our Chancellor [Electo Cicestr² confirmato Cancellario nostro], Henry de Lancaster Earl of Derby, William de Montacute Earl of Salisbury, Henry de Ferrariis, John Darcy le Cosyn Steward of our household & others. Given by our hand at Westminster on the 4th day of October in the 11th year of our reign.³

Norfolk.

For a fine of 10 marcs.

(In duplicate) Wich.

XIV. Second Charter of Edward III.³ [9 August, 1345.]

Edward^a by the grace of God King of England and France &c. . . . greeting. The Bailiffs & Citizens of our City of Norwich have made supplication to us that whereas, because the men living & residing in divers places inhabited about the ditches

¹ With duplicate; one Seal fairly perfect.

² With duplicate; one Seal in green wax fairly perfect.

³ Introduction IV. 2.

of our Castle of the said City which are of the fee of the said Castle which is in geldable are exempt from the jurisdiction of the Bailiffs of the said City, very many felons & evil doers indicted or accused of felonies & trespasses in the same city fly to the said fee & there are harboured by those residing under the jurisdiction of our Sheriff of Norfolk and his bailiffs so that concerning the said felons & evil doers justice cannot be done by the Bailiffs of our said City and so such felons & evil doers remain unpunished & thereupon take to themselves greater boldness of offending to the breach of our peace & the pernicious example of offenders, we should be willing henceforth to grant to the said citizens jurisdiction in the aforesaid places. So that those places should be of such nature and condition as are other places & tenements of the Citizens of the said City in the City & that the said Bailiffs should be able to have full cognisance of pleas as well concerning tenures of the said fee as concerning any other pleas arising within the said fee by our writs & returns of writs & of summonses of our exchequer & execution of the same & to enquire concerning all trespasses felonies & harbouring of felons and fugitives whatsoever occurring within the said fee & to do justice thereon according to the law & custom of the said City. And that the residents upon places of the said fee should be bound to pay towards tallages aids contributions & scots with the men of the said City. And that the said Citizens & their successors should have power to collect & levy all rents of inhabited places of the said fee about the said Castle. Rendering therefor to us beyond the old farm of the City to our exchequer by their own hands as much as before this time was wont to be paid for them. We, because as well by divers inquisitions upon the above matters taken by our command & returned to our Chancery as by examination of our beloved and faithful John Howard our Sheriff of Norfolk whom we have for this cause summoned before us we are certainly informed that it is not to the damage or prejudice of us or others nor to the hurt of our said Castle unless in this that we shall lose the amercements & other profits issuing out of such pleas which are worth yearly by estimation according to the true value of the same 12 pence if we agree to their supplication, of our special grace & at the request of Isabella Queen of England our most dear mother & for the punishing of such delinquents have granted & by this our charter have confirmed for us & our heirs to the aforesaid Bailiffs & Citizens that they & their

successors henceforth have jurisdiction in all the said places being of the said fee already inhabited or to be inhabited & that those places should be of such nature & condition as other places & tenements of the said Citizens in the said City, the house called the Shirehous where the common pleas of the said County are held alone excepted, & also that they have full cognisance of pleas as well concerning tenures of the said fee as concerning all other pleas whatsoever arising within the said fee by our writs & returns of writs & summonses of our exchequer & execution of the same & should be able to enquire concerning all trespasses felonies¹ & harbouring of felons and fugitives whatsoever occurring henceforth within the said fee & to do justice thereon according to the law & custom of the said City. And also that the men already dwelling & in future to dwell in the said places shall henceforth be of the lot & scot^b of the said citizens & contribute to tallages aids & all other things touching the said city with the men of the city according to their share & to this if it be necessary they may be compelled by the Bailiffs of the said city. So that^c no Sheriff of the said County for the time being or Ministers of ours should in anything interfere^a concerning the said places or the residents in them or should hinder or disturb the said Bailiffs & Citizens of free ingress to the said places & egress from them. So that the said Bailiffs & Citizens in every grant to us of tenths & other contributions & aids already made or hereafter to be made to us & our heirs answer to us at our exchequer for the portion pertaining to us from the said places beyond what the said Bailiffs & Citizens render to us or have been wont to render for the portion touching the said city. And moreover that the said Bailiffs & Citizens their heirs & successors may have power to collect & levy by the said Bailiffs all rents of the said places inhabited & to be inhabited. Rendering therefor to us and our heirs at the exchequer of us and our heirs by their own hands beyond the old farm of the said city 26 shillings and 10 pence for the rent of the said places now inhabited 6 shillings and 8 pence for the leet

¹ The power to hear and determine felonies at the King's suit when need arose had been granted to local "wardens of the peace" the year before this Charter (Statute 18 Ed. III., Ch. 2). It would seem that the powers thus granted were understood to be concurrently granted to or rightly assumed by the authorities of cities or towns with chartered local jurisdiction. On the limits of such jurisdiction, see Introduction XI. 6, *note*.

² The rest of the City possessed this privilege of non-interference under the Charter of 33 Edward I.

& 9 shillings for pleas and perquisites of court there, to which sums the rents of the said places now inhabited & the profits of the leet and the pleas yearly extend as by the aforesaid inquisitions is more fully ascertained & beyond those sums 10 shillings & 10 pence of increment & also 12 pence which by reason of the present grant we have lost of amercements & profits of the said pleas as has been said & also the rents^d at which it may chance that the said inhabited places are rented, when according to our license they shall be inhabited. Moreover considering the costs & expenses which the said citizens have voluntarily laid out upon the enclosure of our said city Willing on that account to make them an acceptable recompense^e of our special favour & at the request of our said mother, we have granted & by this our charter have confirmed to the said Bailiffs & Citizens that they and their heirs & successors dwelling in the said City shall for ever be quit of the jurisdiction of the Clerk of the Market of the household of us & our heirs. So that the said clerk or his ministers shall in no wise enter the said city or the said fee henceforth to do & exercise the assay of measures or weights or for any other things in any way belonging to the office of clerk of the market, nor exercise that office in any way in the presence or absence of us or our heirs. Wherefore we will &c.

Witnesses the Venerable Fathers John Archbishop of Canterbury, Primate of All England, Richard Bishop of Chichester & Richard Bishop of London, Richard Earl of Arundel, Thomas de Beauchamp Earl of Warwick, William de Clynton Earl of Huntingdon, Robert de Ufford Earl of Suffolk, Robert de Sadyngton Chancellor [&] William de Edyngton our Treasurers, Richard Talbot Steward of our household & others. Given by our hand at Hertford on the 9th day of August in the 19th year of our reign in England & the 6th of our reign in France.

By writ of Privy Seal.¹

^a Edwardus Dei gracia Rex Anglie & Francie &c. . . . salutem. Supplicarunt nobis Balliui & Ciues Ciuitatis nostre Norwici quod cum eo quod homines in diuersis placeis circa fossata Castri nostri dicte Ciuitatis inhabitatis que sunt in feodo dicti Castri quod est in Geldabili manentes & residentes de iurisdictione Balliuorum Ciuitatis sunt exempti quam plures felones & malefactores de feloniis & transgressionibus in eadem Ciuitate indictati vel rectati ad dictum feodum fugiant & ibidem per dictos residentes

¹ Seal in fair condition,

sub iurisdictione Vicecomitis nostri Norfolc' ac balliuorum suorum receptentur. Ita quod de eisdem felonibus & malefactoribus per Balliuos Ciuitatis predictae iusticia fieri non potest sicque huiusmodi felones & malefactores remanent impuniti & ex hoc sibi assumunt maiorem audaciam delinquendi in pacis nostre lesionem & delinquentium perniciosum exemplum velimus proinde dictis Ciuibus concedere iurisdictionem in placeis predictis. Ita quod placee ille sint de tali natura & condicione sicut sunt alie placee & tenementa Ciuium Ciuitatis predictae in eadem Ciuitate & quod dicti Balliui plenam cognicionem placitorum tam de tenuris dicti feodi quam de aliis placitis quibuscunque infra feodum predictum per breuia nostra & returna breuium & summonicionum de scaccario nostro ac execucionem eorundem emergentibus habere & de transgressionibus felonis & receptamentis felonum & fugitivorum quibuscunque infra dictum feodum contingentibus inquirere & inde iusticiam facere possint secundum legem & consuetudinem Ciuitatis predictae, quodque dicti residentes super placeis dicti feodi ad tallagia auxilia contribuciones & scotta cum hominibus predictae Ciuitatis soluere teneantur & quod dicti Ciues & successores sui omnes redditus de placeis dicti feodi circa Castrum predictum inhabitatis & inhabitandis colligere & levare valeant. Reddendo inde nobis ultra antiquam firmam dicte Ciuitatis ad Scaccarium nostrum per manus suas proprias tantum quantum nobis ante hec tempora solui consuevit pro eisdem. Nos pro eo quod tam per diuersas inquisitiones super premissis de mandato nostro captas & in Cancellaria nostra retornatas quam per examinacionem dilecti & fidelis nostri Johannis Howard vicecomitis nostri Norfolc' quem coram nobis ex hac causa venire fecimus sumus certitudinaliter informati quod non est ad dampnum vel preiudicium nostrum aut aliorum nec ad nocumentum Castri nostri predicti nisi in hoc quod amerciamenta & alia proficua de huiusmodi placitis prouenientia que valent per annum per estimacionem iuxta verum valorem eorundem duodecim denarios amittimus si supplicacioni predictae annuamus, de gracia nostra speciali & ad requisicionem Isabelle Regine Anglie matris nostre carissime & pro huiusmodi delinquentibus puniendis concessimus &c.

^b Sint de lotto & scotto dictorum ciuium.

^c Absque hoc quod vicecomes Comitatus predicti qui pro tempore fuerit vel ministri sui se de dictis placeis vel de residentibus in eisdem in aliquo intromittant.

^d Necnon redditus ad quos dictas placeas inhabitatas cum de licencia nostra inhabitare fuerint contigerit arentari.

^e Gratiam facere repensiuam.

XV. First Charter of Richard II. [26 February, 1377/8.]

A Charter of Confirmation, inspecting & confirming the following Charters, Richard I., John, 39 Henry III., 2 February 19

Edward II. ("proavus noster"), 11 Edward III., 19 Edward III., and adding the Clause against prejudice by non-user of privileges and also the following Clause:

We will^a further & grant for us & our heirs to the said Citizens of Norwich that any protection of us or our heirs made or to be made with the Clause "Volumus" to any persons coming on the duties or services of us or our heirs or in future making delay about them before the Bailiffs or other Judge¹ of the said City for the time being within the said City for victuals there taken or bought upon the voyage or service of which such protections make fuller mention, or also in pleas concerning trespasses or any contracts after the date of these protections made held or committed shall henceforth not be allowed nor shall such protections in those cases henceforth have any place whatever in the said City of Norwich.

Witnesses the Venerable Fathers Simon Archbishop of Canterbury Primate of All England, William Bishop of London, Adam Bishop of S^t David's Chancellor & Thomas Bishop of Exeter our Treasurers, Thomas Bishop of Carlisle, Ralph Bishop of Salisbury, John King of Castille² & Leon Duke of Lancaster our most dear Uncle, Richard of Arondell Hugh of Stafford & William de Montacute of Salisbury Earls,³ Guy de Bryen our Chamberlain, Richard le Scrop Steward of our household, Richard de Stafford, Henry le Scrop & others. Given by our hand at Westminster on the 26th day of February in the first year of our reign.

Per breve de privato sigillo. Freton.

At foot of 1st membrane is written. "Examinata per Johannem de Freton & Thomam de Stanley clericos."⁴

^a Volumus insuper & concessimus pro nobis & heredibus nostris prefatis Ciuibus Norwici quod aliqua proteccio nostra vel heredum nostrorum cum clausula Volumus facta seu facienda aliquibus personis in obsequiis vel serviciis nostris seu heredum nostrorum profecturis aut in eisdem in posterum moram trahentibus coram Balliuis aut alio Iudice eiusdem Ciuitatis pro tempore existentibus infra Ciuitatem illam pro victualibus ibidem super viageo seu servicio unde huiusmodi protecciones mentionem

¹ Perhaps a Coroner may be meant. There was also a Recorder of the City at this time.

² Rege Castelle & Legionis.

³ Ricardo Arondell Hugone Stafford & Willelmo de Monte Acuto Sarum Comitibus.

⁴ No Seal remains.

faciunt pleniorē captis sine emptis seu etiam in placitis de transgressionibus vel aliquibus contractibus post datam earundem protectionum factis habitis seu etiam perpetratis de cetero non allocentur nec huiusmodi protectiones in illis casibus in dicta Ciuitate Norwici decetero locum habeant quouis modo.

XVI. Second Charter of Richard II. [15 February, 1379/80.]

Richard by the grace of God &c. . . . greeting. We have inspected a Charter of our confirmation which we lately caused to be made to our Citizens of Norwich in these words:

[Here follows the whole of the preceding Charter.]

Now we ratifying &c. . . .

[After which are added two new clauses.]

“ We have granted further to the said Citizens of Norwich for us & our heirs & by this our Charter have confirmed that they & their successors citizens of the said city & no other stranger from their liberty may buy or sell victuals or any merchandise by retail or in parcels¹ within the liberties of the said City except according to the form and tenor of our statute² issued in our parliament held at Gloucester on the Wednesday next after the feast of St. Luke in the 2nd year of our reign more fully expressed & contained under penalty of the forfeit contained in the said statute. Moreover we have granted for us and our heirs & by this our Charter have confirmed to our aforesaid Citizens of Norwich that if perchance any customs hitherto held & used in the said City shall in any part of them be difficult or defective so that, on account of any things anew arising in the said city where a remedy has not before been clearly ordained, they need amendment, the Bailiffs of the said City for the time being with the assent of twenty-four of their co-citizens³ to be elected for the Community of the said City every year or of the greater part of the said twenty-four so to be elected may have power & authority to apply & ordain a remedy agreeable to good faith & consonant to reason for the common utility of the Citizens of the said city & of others our faithful [people] repairing thereto & to effect due execution of

¹ Small portions.

² The Statute 2 Richard II., Ch. I. enacted that merchants from over the sea might sell their goods in gross or by retail, but only to citizens or burgesses.

³ On the importance of this clause and the various questions which arose out of it, see Introduction IV. 13.

such their ordinances as often & when it shall be necessary & shall seem to them expedient, provided that these ordinances are useful to us & our people & [agreeable] to good faith & consonant to reason as is aforesaid.

Witnesses, the Venerable Fathers Simon Archbishop of Canterbury Primate of All England Chancellor [&] Thomas Bishop of Exeter our Treasurers, John King of Castille & Leon Duke of Lancaster, Edmund Earl of Cambridge, Thomas Earl of Buckingham & Constable of England our most dear Uncles, William de Latymer, William de Beauchamp our Chamberlain, Hugh de Segrave Steward of our household and others. Given by our hand at Westminster on the 15th day of February in the 3rd year of our reign.

Per breue de privato sigillo.

Oterbury.

Examinata per Thomam Stanley & Willelmum Roudon clericos.¹

"Concessimus insuper eisdem ciuibus Norwici pro nobis & heredibus nostris & hac carta nostra confirmauimus quod ipsi & eorum successores Ciues Ciuitatis predicte & nullus alius extraneus a libertate sua Norwici emat vel vendat victualia seu mercandisas aliquas ad retalliam vel per parcelas infra libertates Ciuitatis predicte nisi secundum formam & tenorem statuti nostri in parlamento nostro apud Gloucestr' die Mercurii proxima post festum Scti Luce anno regni nostri secundo tento editi plenius expressatos & contentos sub pena forisfacture in eodem statuto contenta. Preterea concessimus pro nobis & heredibus nostris & hac carta nostra confirmauimus prefatis ciuibus nostris quod si fortassis alique consuetudines in dicta ciuitate hactenus obtente & usitate in aliqua sui parte difficiles siue defectiue fuerint sic quod propter aliqua in eadem ciuitate de nouo emergencia ubi remedium prius clare non exstitit ordinatum emendacione indigeant, Balliui dicte Ciuitatis pro tempore existentes de assensu viginti & quatuor conciuum suorum pro communitate dicte ciuitatis singulis annis eligendorum vel maioris partis eorundem viginti & quatuor sic eligendorum potestatem habeant & auctoritatem remedium congruum bone fidei & consonum rationi pro communi utilitate ciuium dicte Ciuitatis & aliorum fidelium nostrorum ad eandem confluentium apponendi & ordinandi ac ordinaciones huiusmodi execucioni debite demandandi quotiens & quando opus fuerit & eis videbitur expedire. Dumtamen ordinaciones ille nobis & populo nostro utiles ac [congrue] bone fidei & consone fuerint rationi sicut predictum est.

¹ Seal in good condition.

1977 The Charter of the City of New York, as amended, Chapter 197, § 22, January 1, 1977.

A Special Council of the City of New York, convened for the purpose of considering the Charter of the City of New York, as amended, Chapter 197, § 22, January 1, 1977.

The Charter of the City of New York, as amended, Chapter 197, § 22, January 1, 1977, is hereby adopted by the Special Council of the City of New York, as amended, Chapter 197, § 22, January 1, 1977.

The Charter of the City of New York, as amended, Chapter 197, § 22, January 1, 1977, is hereby adopted by the Special Council of the City of New York, as amended, Chapter 197, § 22, January 1, 1977.

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1978 The Charter of the City of New York, as amended, Chapter 197, § 22, January 1, 1978.

Henry to the great of the City of New York, as amended, Chapter 197, § 22, January 1, 1978.

[The Charter of the City of New York, as amended, Chapter 197, § 22, January 1, 1978.]

The City of New York, as amended, Chapter 197, § 22, January 1, 1978, is hereby adopted by the Special Council of the City of New York, as amended, Chapter 197, § 22, January 1, 1978.

The Charter of the City of New York, as amended, Chapter 197, § 22, January 1, 1978, is hereby adopted by the Special Council of the City of New York, as amended, Chapter 197, § 22, January 1, 1978.

The Charter of the City of New York, as amended, Chapter 197, § 22, January 1, 1978, is hereby adopted by the Special Council of the City of New York, as amended, Chapter 197, § 22, January 1, 1978.

**The Charter of
King Richard I.,
5 May, 1194.**



XVII. First Charter of King Henry IV.¹ [6 February, 1399/1400.]

A Charter of Confirmation inspecting and confirming the previous Charter of 3 Richard II.

Witnesses—Thomas Arundel Archbishop of Canterbury, Richard Scroop Archbishop of York, Robert Braybrook Bishop of London, John Fordham Bishop of Ely, Edmund Stafford Bishop of Exeter, Edmund Duke of York our most dear Uncle, Henry de Percy Earl of Northumberland, Constable of England, Ralph de Nevile Earl of Westmoreland, Marshall of England, John Earl of Somerset, Chamberlain, John de Searle Clerk of the Chancery and John Norbury, Treasurers, William de Ross of Hamalak, Reginald Grey of Ruthin, William de Willughby, Thomas Kempston Steward of the Household and Master Richard Clifford, Keeper of the Privy Seal.

Given at Westminster on the 6th day of February in the 1st year of our reign.

XVIII. Second Charter of King Henry IV.² (*Abstract.*) [28 January, 1403/4.]

Henry by the grace of God greeting. Know that we have granted to the Citizens and Commonalty of our City of Norwich and their heirs and successors for ever &c.

[The Charter contains the following grants.]

^a The City of Norwich shall henceforth be separated from the County of Norfolk and be a County by itself and be called the County of the City of Norwich.

^b The Citizens and Commonalty may choose yearly from themselves a Mayor, who shall be the King's Escheator; and in place of the 4 Bailiffs may choose yearly from themselves 2 Sheriffs. The Mayor as Escheator shall take an oath before some appointed person in the City and the Sheriffs shall take their oaths before the Mayor in the hall called le Gildehalle without need of a writ of "*Dedimus Potestatem*" or other mandate. The Sheriffs may exercise all that belongs to the office of Sheriff as other Sheriffs of the Kingdom. The Escheator & Sheriffs shall

¹ This Charter is not preserved in the Muniment Room.

² This Charter is not preserved. Introduction V. 2.

have power and jurisdiction as other Escheators and Sheriffs. The Sheriffs shall hold their County Court on Monday monthly as other Sheriffs and their Court as the Bailiffs have done.

^c No citizen shall be impleaded outside the city concerning any tenures held or any trespass &c. made within the Liberty. Of all such pleas the Mayor and Sheriffs shall have cognisance without any external interference.

^d The C. & C. shall have cognisance of all pleas of Assize of Novel Disseisin & Mort d'Ancestor concerning lands &c. within the City &c., to be held before the Mayor & Sheriffs in the Guildhall. The Escheator & Sheriffs may make their annual proffers¹ or accounts through an attorney appointed by their letters patent under the common seal of the City, without being compelled to appear personally.

^e The Mayor Sheriffs, Citizens & Commonalty may make their profit out of all gates bridges & wastes by land or water within the city &c. in aid of the repair of the gates & walls of the City. The Mayor shall have power at the suit of any one to correct in the Guildhall and fix the damage of any defaults oppressions &c. committed by the Sheriffs.

^f The C. & C. may through the Mayor & 4 "Probi Homines" to be chosen by him hear and determine all matters plaints &c. within the City belonging to the office of Justice of the Peace of Labourers & Artificers, as the like Justices do in the County of Norfolk. But they may not determine a felony² without a special royal mandate.

^g The C. & C. may by their officers levy and assess all fines, issues &c. pertaining to the Justiciary of the Peace within the Liberty towards repairs of bridges and other charges of the City. The M. S. C. & C. may have forfeit of victuals to be forfeited by law as bread wine & ale and other things not pertaining to merchandise.

^h The Mayor may have a sword carried erect before him in the presence of all magnates and lords except the king. The sergeants at mace of the Mayor and the Sheriffs may carry gilt or silver maces with the king's arms even before the king within the Liberty.

ⁱ The C. & C. shall be free from all interference by the

¹ A sum of money required half-yearly by the Exchequer in anticipation of the annual account.

² Introduction XI. 6.

Steward and Marshall or the Clerk of the Market of the King's household within the Liberty &c.

^k No royal purveyor shall make any prise or take any victuals from the goods of any citizens against their will, whether in the king's presence or absence. If it is necessary to take them they shall be promptly paid for at a reasonable price.

^l The City Coroners may exercise their office as freely as they have done from before the time of memory.

^m Neither the change of name of the Bailiffs nor any other cause shall hinder any of the privileges heretofore granted to the Citizens & Commonalty and now confirmed to the Mayor Sheriffs Citizens and Commonalty. But the M. S. C. & C. shall enjoy & use all the franchises which and as the Bailiffs Citizens and Commonalty had and exercised before the change of name.

These being witnesses, the Venerable Fathers Thomas Archbishop of Canterbury Primate of All England, R. Archbishop of York Primate of England, R. Bishop of London, J. Bishop of Ely, H. Bishop of Lincoln our Chancellor, John Earl of Somerset our brother, Ralph Earl of Westmoreland Marshall of England, William Roos of Hamelak our Treasurer, William de Wilughby, William Heron lord de Say Steward of our household, Thomas Langeley keeper of our privy seal and others. Given by our hand at Westminster on the 28th day of January in the 5th year of our reign.

^a Concessimus quod dicta Ciuitas ac tota terra infra dictam Ciuitatem & Libertatem eiusdem cum suburbiis & hamelettis suis ac procinctu eorundem & tota terra in circuitu eiusdem Ciuitatis infra Libertatem dicte Ciuitatis Norwici (Castro & le Shirehous exceptis que infra corpus Comitatus Norfolc iam existunt) ab eodem Comitatu separata sint ex nunc penitus & in omnibus exempta tam per terram quam per aquam & quod dicta Ciuitas ac suburbia (exceptis preexceptis) sint de cetero Comitatus per se & Comitatus Ciuitatis Norwici nuncupatus in perpetuum.

^b Volumus eciam quod predicti Ciues & Communitas eligere possint singulis annis successiuis unum Maiorem de se ipsis & quod quilibet Maior quam citius in Maiorem electus fuerit & prefectus sit Escaetor noster & heredum nostrorum in Ciuitate, suburbiis &c. Et quod dicti C. & C. . . . loco quatuor Balliuorum ab antiquo usitatorum (quos & quorum nomina omnino deleri volumus) eligere possint singulis annis successiuis duos Vicecomites de se ipsis. . . . Qui quidem Maior &

Vicecomites in forma subscripta eligentur viz. dicti C. & C. quolibet anno de se ipsis eligent tres personas idoneas viz. unum in Maiores & duos in Vicecomites. . . . Et quilibet Escaetor statim post prefecionem suam prestat sacramentum suum de officio fideliter faciendo coram aliqua sufficienti persona infra Ciuitatem ad hoc per breuia nostra assignanda absque eo quod idem Escaetor ad sacramentum faciendum extra Ciuitatem venire compellatur. Ita semper quod statim de nomine Escaetoris ad scaccarium nostrum sub sigillo communi Ciuitatis certificetur. Et quod Vicecomites sacramenta sua coram Maiore prestabunt quorum nomina sub sigillo communi Ciuitatis in Cancellariam nostram mittentur Et quod idem Maior plenam habeat potestatem recipiendi sacramenta Vicecomitum in aula sua vocata le Gildehalle absque breuibz nostris de Dedimus potestatem¹ aut aliis mandatis nostris expectandis. . . . Quodque iidem Vicecomites omnia & singula debite faciant exerceant & exequantur que ad officium Vicecomitum pertinent & quod ceteri Vicecomites aliorum comitatum regni nostri Anglie secundum leges & consuetudines eiusdem faciant absque eo quod aliquis Escaetor seu Vicecomes noster Norfolk' Ciuitatem ingredi presumant aut infra Ciuitatem &c. . . . se intromittant. . . . Et quod iidem Escaetor & Vicecomites easdem habeant potestatem iurisdictionem & libertatem in Ciuitate &c. . . . quas ceteri Escaetores & Vicecomites alibi infra regnum nostrum Anglie habent. . . . Et quod predicti Vicecomites Ciuitatis comitatum² suum ibidem per diem lune de mense in mensem teneant eodem modo & prout alii Vicecomites nostri Et quod curiam suam ibidem similiter teneant & proficua inde percipiant prout Balliui Ciuitatis antea facere consueverunt.

^c Concessimus eciam eisdem C. & C. . . . quod nullus eorum implacitet vel implacitetur extra Ciuitatem de terris aut tenementis que tenent infra Libertatem Ciuitatis, suburbia &c. Et quod iidem Maior et Vicecomites habeant cogniciones omnium placitorum de transgressionibus conuencionibus contractibus & debitis quibuscumque infra Ciuitatem &c. emergentibus sine occasione vel impedimento nostri aut Justiciariorum nostrorum &c.

^d Et ulterius concessimus eisdem C. & C. quod ipsi habeant cognicionem omnimodorum placitorum assissarum noue

¹ A Royal Writ granting authority to act in the King's name.

² On these Courts see Preface to City Courts (Introduction XI. 4).

disseisine & mortis antecessorum de terris &c. infra Ciuitatem &c. coram Maiore & Vicecomitibus in le Gildhalle Ciuitatis. Et quod Escaetor & Vicecomites quolibet anno profra sua ad Scaccarium nostrum facere & computare possint per attornatum suum per literas patentes sub sigillo communi Ciuitatis signatas absque hoc quod Escaetor & Vicecomites personaliter venire compellantur.

^c Concessimus eciam Maiori Vicecomitibus Ciuibus & Communitati quod ipsi se appruare & commodum suum facere possint de omnibus portis pontibus & vastis tam in terra quam in aqua infra Ciuitatem &c. in auxilium reparacionis & emendacionis portarum & murorum Ciuitatis Et quod Maior habeat plenam potestatem audiendi corrigendi &c. coram se ipso in le Gildhalle ad sectam cuiuslibet omnes defectus oppressiones &c. que per Vicecomites in officiis suis infra Libertatem &c. fieri contigerit & inde parti se sentienti grauata dampna iuxta quantitatem delicti considerandi & adiudicandi.

^f Et insuper concessimus quod C. & C. habeant plenam correccionem & potestatem ad inquirendum audiendum & terminandum per Maiorem & alios quatuor probiores & legaliores homines predictae Ciuitatis per Maiorem eligendos omnes materias querelas &c. qui ad officium Justiciariorum pacis laboratorum & artificum pertinent sicut Justicarii pacis &c. in Comitatu Norfolc' ante hec tempora habuerunt Ita tamen quod predicti Maior & quatuor homines ad determinationem alicuius felonie absque speciali mandato nostro non procedant.

^g Concedimus eciam eisdem C. & C. quod ipsi habeant [potestatem] omnes fines exitus forisfacturas & amerciamenta ad Justiciariam Pacis infra Libertatem &c. pertinencia per ministros suos levandi & recipiendi in supportacionem reparacionis pontium ac aliorum onerum Ciuitatis Et quod M. V. C. & C. habeant forisfacturam victualium per legem forisfiendorum viz. panis vini & seruicie ac aliarum rerum que ad mercandisas non pertinent.

^h Et insuper concessimus prefatis C. & C. quod Maior & successores sui gladium suum per nos datum aut alium gladium extra presenciam nostram & heredum nostrorum habeant portatum & portari facere possint coram eis punctu erecto in presenciam tam aliorum magnatum & dominorum regni nostri Anglie qui nos linea consanguinitatis attingunt & quorumcumque aliorum quam alio modo quocumque. Et quod seruientes clauarum Maioris & Vicecomitum clauas suas auratas vel argenteas aut argentatas & signo Armorum nostrorum & heredum nostrorum ornatas tam in presenciam nostra & heredum nostrorum quam in presenciam consortis nostre & heredum nostrorum infra Ciuitatem &c. prout proprii seruientes nostri ad arma pro libito deferre valeant.

^m Volumus eciam & concedimus quod per translacionem alternacionem & mutacionem nominum Balliuorum predictæ Ciuitatis nec per aliquam aliam causam alique de franchises &c. . . . prefatis Ciuibus & Communitati per progenitores nostros ante hec tempora concessis & per nos confirmatis erga nunc Maiorem Vicecomites Ciues et Communitatem aut tenentes & residentes infra Ciuitatem suburbia &c. . . . nullo modo denegentur restringantur minuantur nec abbrevientur. Set quod iidem Maior Vicecomites Ciues & Communitas omnia & singula franchises &c. plene gaudeant & utantur de articulo in articulum ac de verbo in verbum que & prout Balliui Ciues & Communitas Ciuitatis predictæ ac antecessores & predecessores sui habuerunt & exercuerunt ex concessione dictorum progenitorum & nostra confirmatione ante mutacionem nominum Balliuorum predictorum per nos nunc factam & concessam imperpetuum.

XIX. Charter of King Henry V. (*Abstract.*) [21 July, 1417.]

Henry by the grace of God King &c. . . . Inspection & Confirmation of the two previous Charters 1 and 5 Henry IV. after which are added various directions as to the government of the City. Many strifes and dissensions having arisen as to the mode of election of the Mayor, Sheriffs and other officers, the King desirous of bringing such strifes to an end orders as follows.

^a The Citizens & Commonalty may elect twenty-four fellow-citizens as Aldermen who shall bear the name of Aldermen of the City of Norwich for ever; and also sixty other citizens for a Common Council of the City.

The elections of the Mayor, Sheriffs and sixty Common Councillors shall be conducted [as agreed to in the Composition, No. XLI. 1, 2, 4.])

The twenty-four Aldermen [as agreed to in the Composition (No. XLI. 3) with respect to the twenty-four Con-citizens] shall be confirmed in their office each year, unless reasonable cause for removal has occurred.

^b The Clause about providing due remedy in emergencies includes the "assent of the sixty citizens of the Common Council."

Witnesses, The Venerable Fathers H. Archbishop of Canterbury Primate of All England, our dear Uncle H. Bishop of Winchester our Chancellor, and Thomas Bishop of Durham; Thomas Duke of Clarence, John Duke of Bedford, Humphrey Duke of Gloucester, our most dear brothers; Thomas Duke of

Exeter our most dear Uncle; Edmund Earl of March, John Earl of Huntingdon, Richard Earl of Warwick and Thomas Earl of Salisbury our kinsmen; Henry FitzHugh our Treasurer, Walter Hungerford Steward of our household, Master Henry Ware, Keeper of our Privy Seal and others. Given by our hand at Porchester on the 21st day of July in the 5th year of our reign.¹

^a De gracia nostra speciali & ad specialem supplicacionem & requisicionem predictorum Ciuium & Communitatis ac ex eorum consensu voluntario pariter & assensu Volumus & concedimus pro nobis prefatis Ciuibus & Communitati quod ipsi & successores sui in perpetuum viginti & quatuor Conciues suos Ciuitatis predicte in Aldermannos necnon sexaginta alios Ciues eiusdem Ciuitatis pro Communi Consilio Ciuitatis illius modo & forma inferius contentis eligere facere & creare possint qui quidem viginti & quatuor Conciues sic electi nomen Aldermannorum Ciuitatis Norwici habeant & gerant in perpetuum. Et quod predicti Maior & Vicecomites in forma subscripta annuatim eligantur & preficiantur Videlicet omnes Ciues Ciuitatis illius in eadem commorantes

^b Preterea concessimus quod si fortassis alique consuetudines emendacione indigeant quod tunc Maior Ciuitatis predicte pro tempore existens ac Aldermanni sive maior pars eorum pro tempore existens plenam potestatem habeant ad nouum remedium congruum fidei de assensu predictorum sexaginta Conciuium pro Communi Consilio Ciuitatis predicte in forma precedenti annuatim eligendorum sive maioris partis eorundem apponendum & ordinandum &c.

XX. First Charter of King Henry VI.² [17 July, 1430.]

Inspection and Confirmation of the previous Charter of 5 Henry V.

Witness, The Guardian [of the Kingdom] at Westminster, 17th day of July, 8 Henry VI.

XXI. Second Charter of King Henry VI.³ (*Abstract.*) [17 March, 1451/2.]

Henry by the grace of God King &c. . . . greeting. After declaring the seizure of the liberties of the City and their restitution by the judgment of the King's court, the King confirms

¹ Seal of green wax in good condition.

² Not in the Muniment Room. It is enrolled on Patent Roll 8 Henry VI. pt. 1.

³ Introduction VII. 4.

to the "Citizens their heirs and successors" the full enjoyment of all franchises &c. as before with the special clause about non-user. The Charter then proceeds:

And we have granted that the said citizens^a their heirs and successors shall have power in future to declare before us and our heirs Justices and other Judges whatsoever their liberties and free customs by word of mouth by the Recorder of the said City in the way which is at present used by word of mouth by the Recorder of our City of London.

And further considering how the said Citizens of our City of Norwich by Charter of the lord Henry late King of England our grandfather which we have confirmed have for themselves their heirs and successors full correction, punishment, authority and power to enquire hear and determine by the Mayor of the said City and other four tried and lawful men of the City to be chosen by the Mayor all evil doings plaints defaults and articles which belong to the office of Justices of the Peace of Labourers and Artificers and other things within the said City suburbs &c. occurring And now divers doubts^b and opinions have arisen upon obscurity and the interpretation of terms therein contained, whereof the said Citizens have humbly supplicated us that our will in that behalf should be graciously declared by us to them. We therefore favourably inclining to their prayers grant and declare to the said now Citizens their heirs and successors that henceforth the Mayor and Recorder of the said City and their successors Mayors & Recorders of the City for ever and as well those Aldermen who have already been Mayors of the City as other Aldermen who shall hereafter bear the burden of the Mayoralty of the City, after they have ceased from the Mayoralty and been dismissed therefrom, so long as they remain Aldermen there shall be Keepers of the Peace of us and our heirs through the whole City of Norwich, its suburbs hamlets land precinct and circuit and be Justices for keeping all statutes & provisions for the keeping of the peace and concerning hunters workmen, artificers servitors hostillers &c.

We will^c also and grant that the said Justices or four of them, of whom we will such Mayor and Recorder for the time being to be two, should also be Justices of us and our heirs to enquire by the oath of tried and lawful men as well of the City as of the Liberty suburbs by whom the truth of the matter may be better known from time to time as often as and

when it shall seem most expedient to them concerning all manner of felonies, trespasses &c. . . . [set forth at length as in a Commission of the Peace].

We have also granted to the said Citizens that they may choose sub-sheriffs, clerks and bailiffs of the sheriffs, for whom they will answer, as freely as is used in London.

Wherefore we will and firmly enjoin &c.

Witnesses, The Venerable Fathers J. Cardinal Archbishop of York Primate of England our Chancellor, Thomas Bishop of London and William Bishop of Winchester, our most dear kinsmen J. Duke of Norfolk our Marshall of England and Edmund Duke of Somerset Constable of England, Richard Earl Warren and J. Earl of Oxford and our beloved and faithful John Viscount Beaumont our Chamberlain of England, Ralph Crumwell our Chamberlain of our household and John Beauchamp our Treasurer of England knight and also our beloved Master Andrew Hales Keeper of our Privy Seal and others. Given by the hand of the King at Westminster on the 17th day of March in the 30th year of our reign.

By the King himself and of the abovesaid date and for 20 marks paid in the hanaper.¹

^a Et quod predicti Ciues heredes & successores sui libertates & liberas consuetudines suas in posterum coram nobis & heredibus Justiciariis ac aliis Judicibus nostris quibuscumque ore tenus per Recordatorem Ciuitatis illius declarare valeant modo quo per Recordatorem ore tenus Ciuitatis nostre London' ad presens est usitatum.

^b Ac iam diuersa dubia & opiniones euenerunt super obscuritatem & interpretacionem terminorum inde in eadem contentorum unde iidem Ciues humillime supplicauerunt sibi per nos voluntatem nostram in hac parte graciosius declarari Nos igitur eorum precibus inde favorabiliter inclinati de gracia nostra speciali ex certa scientia & motu nostro volumus pro nobis & heredibus nostris in perpetuum quantum in nobis est concedimus & declaramus eisdem nunc Ciuibus heredibus & successoribus suis quod amodo Maior & Recordator Ciuitatis predictae & successores sui Maiores & Recordatores eiusdem Ciuitatis in perpetuum Ac tam illi Aldermanni qui Maiores dicte Ciuitatis preantea extiterunt quam alii Aldermanni qui onus Maioratus Ciuitatis illius in posterum sustinebunt postquam a Maioratu illo cessauerunt & inde sint dimissi quamdiu

¹ Seal of green wax in good condition.

Aldermanni ibidem steterint sint custodes pacis nostre & heredum nostrorum per totam Ciuitatem Norwici suburbia hameletta terram precinctum & circuitum eiusdem Ciuitatis ac Justiciarii ad omnia statuta & prouisiones pro conseruacione pacis & de venatoribus operariis artificibus seruitoribus hostillariis &c. . . . & de quibuscumque aliis articulis per Justiciarios pacis custodiende editis custodiendum & custodiri faciendum

^c Volumus etiam & concedimus quod iidem Justiciarii vel quatuor eorum quorum huiusmodi Maiorem & Recordatorem pro tempore existentes duos esse volumus sint eciam Justicarii nostri & heredum nostrorum ad inquirendum per sacramentum proborum & legalium hominum tam de Ciuitate quam de libertate suburbiis per quos rei veritas melius sciri poterit de tempore in tempus quociens & quando eis melius videbitur expedire de omnimodis feloniis transgressionibus

XXII. First Charter of King Edward IV. [10 February, 1461/2.]

Confirmation to the Mayor Citizens & Commonalty by Inspeximus of the following Charters: (a) Charter of Henry II.; (b) Charter of 3 Richard II., with all included Charters; (c) Charter of 5 Henry IV.;¹ (d) Charter of 30 Henry VI.

In witness of which thing we have caused these our letters to be made patent. Witness myself at Westminster on the 10th day of February in the 1st year of our reign. For 10 marks paid into the hanaper.²

XXIII. Second Charter of King Edward IV. [12 February, 1461/2.]

Edward^a greeting. Know ye that we on account of the great affection which we bear and have towards our City of Norwich and the Citizens and Commonalty of the said City and in consideration of the good conduct and great costs and expenses of the Citizens of the said City and moreover of the free services many times borne by them for us against our adversaries and rebels Willing specially to provide for the betterment of the

¹ Henry IV. is described as "nuper de facto et de jure Regis Anglie"; Henry VI. as "nuper de facto et non de jure Regis Anglie."

² Seal of green wax nearly perfect.

said City and for the advantage and quiet of the said Citizens and their heirs and successors, of our special grace have granted that the said City and all the land within the ditches which in the time of King Richard the 2nd our kinsman were parcel of the County of Norfolk and were, were contained and comprehended within the body of the County shall be separated [as in the Charter of 5 Henry IV.]

We will also and grant that they have twenty-four of their concitizens as Aldermen and sixty other citizens of the said City for a Common Council of the said City [Here follow the enactments of 5 Henry V. (who is not mentioned) as to the constitution of the municipal body and the mode of elections, extending the franchise to the citizens in the hamlets.¹]

Witnesses, The Venerable Fathers Thomas Archbishop of Canterbury Primate of All England, William Archbishop of York Primate of England, George Bishop of Exeter our Chancellor, William Bishop of Ely, And our most dear brothers George Duke of Clarence, Richard Duke of Gloucester, Also our dear kinsmen Richard Earl of Warwick Steward of England & Henry Earl of Essex our Treasurer, And our beloved subjects John Mountague Knight & William Hastynges our Chamberlain Knight, Also our beloved Clerk Robert Stillington Keeper of our Privy Seal & others. Given by our hand at Westminster on the 12th day of February in the 1st year of our reign.

By the King himself of the date aforesaid by authority of parliament & for 40s. paid in the Hanaper.²

^a Edwardus salutem. Sciatis quod nos ob magnam affectionem quam erga ciuitatem nostram Norwici ac ciues & communitatem eiusdem ciuitatis gerimus & habemus ac consideracione boni gestus & grandium sumptuum & expensarum ciuium eiusdem Ciuitatis necnon gratuitorum seruiorum nobis per ipsos contra aduersarios & rebelles nostros multipliciter impensorum Volentes melioracioni eiusdem Ciuitatis necnon eorundem Ciuium ac ipsorum heredum & successorum commodo & quieti specialiter prouidere de gracia nostra speciali concessimus quod dicta Ciuitas & tota terra infra fossata que tempore Regis Ricardi secundi consanguinei nostri parcella Comitatus Norfolc' & infra corpus extiterunt continebantur & comprehense fuerunt ab eodem Comitatu separata sint &c.

¹ See Introduction VII. 6.

² Not in the Muniment Room. Recited in Charter of 19 Henry VII.

XXIV. Third Charter of King Edward IV. (*Translation.*) [11 November, 1482.]

Edward by the grace of God King greeting.
 Know ye that we have granted to our
 beloved lieges the Mayor Sheriffs Citizens & Commonalty of our
 City of Norwich that they their heirs and successors for ever have
 and hold two free fairs or markets to be commonly called Free
 Martes¹ in and within our said City of Norwich and the County
 of the same, that is to say, one for ten days next before the 3rd
 Sunday in Lent, on the said Sunday, and for ten days next following
 after the said Sunday. And the other on the feast of the Commemo-
 ration of St. Paul the Apostle² and to last continuously for twenty
 days from the said feast next following.^a And that all and singular
 the merchants and others whosoever, our subjects of our kingdom
 of England, and also all and singular the foreign merchants and
 others whosoever, being for the time our friends and allies,^b and
 every of them desiring or wishing to come there to the said fairs
 and markets or to any of them with their goods and merchandise
 whatsoever or for the sake of merchandising, shall have power
 to come to the said fairs and abide there and in the said fairs
 to sell and buy goods and merchandise or to sell and buy and
 return home therefrom^c as well by land as by water and everywhere
 freely peacefully quietly and with impunity as shall be just, as often
 as shall seem good to them or him^d without impediment or any
 burden whatever. And we take and accept by these presents
 into our special protection keeping and defence^e the said merchants
 our subjects and others whomsoever, merchants and others aforesaid,
 and every of them in coming to the said fairs to be commonly
 called Free Martes and to every of them in manner form and
 for causes aforesaid or otherwise as aforesaid and in there abiding
 waiting buying selling and returning home therefrom. To have
 and to hold to the said Mayor the said fairs or markets
 and liberties with all customs and rights
 which ought to belong to them And all these premisses
 we have granted to the said Mayor without
 fine or fee^f

In witness whereof we have caused these our letters to be
 made patent. Witness myself at Westminster on the 11th day
 of November in the 22nd year of our reign.³

¹ This Charter will be noticed in Vol. II. ² June 30. ³ Seal of green wax, in fair condition.

“ Habeant & teneant annuatim duas liberas ferias sive nundinas vulgariter nuncupandas Free Martes in & infra Ciuitatem nostram predictam & Comitatum eiusdem, unam videlicet per decem dies proximos ante terciam dominicam quadragesime, eadem die dominica, & per decem dies proxime post eandem diem dominicam sequentes, & alteram festo Commemoracionis Sancti Pauli Apostoli & per viginti dies ab eodem festo proxime sequentes continue duraturam.

^b Mercatores extranei & alii quicumque amici & confederati nostri pro tempore existentes.

^c Seu vendere vel emere & exinde ad propria redire.

^d Valeant & valeat tociens quociens sibi placuerint vel placuerit.

^e In proteccionem tuicionem & defensionem nostras speciales suscipimus & acceptamus per presentes.

Absque finē & feodo aut aliquo alio nobis inde aut proinde reddendo seu soluendo ac eo libere & integre sicut aliqua libera feria siue nundina vulgariter nuncupata Free Martes dari seu per nos concedi potest Aliquibus statutis actu ordinacione concessione seu prouisione in contrarium seu in derogacionem premissorum factis editis ordinatis seu prouis non obstantibus.

XXV. Charter of King Henry VII. [26 March 1504.]

Charter of Confirmation, inspecting and confirming

(a) Letters Patent of 10 February, 1 Edward IV., with all included Charters.

(b) Charter of 12 February, 1 Edward IV.

(c) Letters Patent of 22 Edward IV.

Witness the King at Westminster on the 26th day of March in the 19th year of our reign.

For 40 shillings paid in the hanaper.¹

XXVI. First Charter of King Henry VIII. [24 October, 1524.]

Charter sanctioning the Composition made on 24th August, 1524, through the mediation of Cardinal Wolsey between the Citizens & the Prior & Convent of Norwich by which the Citizens released their rights in the common pasture of Eton and Lakenham, and received from the Prior and Convent 80 acres of land.²

¹ Seal damaged.

² This land became known as the Town Close. The subject of this and the two following Charters will be dealt with in Vol. II., see Introduction VIII. 1.

Witness myself at Westminster on the 24th day of October in the 16th year of our reign. By the King himself and of the aforesaid date by authority of parliament.¹

XXVII. Second Charter of King Henry VIII. [1 June, 1525.]

Charter sanctioning the above Composition by which the Citizens released to the Prior and Convent all jurisdiction within the walls of the Priory, and the Prior & Convent released to the Citizens all jurisdiction without the walls.

Clauses are added prescribing the procedure in case of the death of a Mayor or Sheriff during his year of office; and also granting that the Recorder and Steward and all ex-Mayors so long as they continue Aldermen shall be Justices of the Peace, and no justices of the county shall enter the said city.^a

Witness myself at Westminster on the 1st day of June in the 17th year of our reign. By the King himself & of the date aforesaid by authority of parliament.²

^a Ita quod custodes pacis nostre heredum vel successorum nostrorum aut Justiciarii nostri . . . ad huiusmodi felonias . . . in Comitatu Norfolc' audiend' & terminand' assignati vel assignandi seu alii Justiciarii nostri . . . dictum nunc Comitatum Ciuitatis predicte ad aliquod quod ad custodes pacis nostre . . . aut alios Justiciarios nostros pertinet ibidem faciend' non ingrediantur nec de inde ibidem in aliquo intromittant nec eorum aliquis intromittat.

XXVIII. Third Charter of King Henry VIII. [6 April, 1539.]

Charter by which after the conversion of the Prior and Convent into a Dean and Chapter it was arranged that the Cathedral Precinct should be separated from the County of Norfolk & the Hundred of Blofield and made parcel of the City, reserving the old jurisdiction within the site to the Dean and Chapter; in accordance with an indenture between the parties made on 10 April previous.

Witness myself at Westminster on the 6th day of April in the 30th year of our reign. By the King, &c.³

XXIX. Charter of King Edward VIth. [3 November, 1549.]

Charter of Confirmation, reciting by Inspeximus (1) the Charter of 26 March, 19 Henry VII., with all included Charters;

¹ Seal damaged.

² Seal damaged.

³ Seal damaged.

(2) Charter of 1 June, 17 Henry VIII.; (3) Letters Patent of 6 April, 30 Henry VIII.

An authorisation follows to elect two Sheriffs¹ within one month. Then the clause as to dis-user. And a remission of forfeitures.

Witness myself at Westminster on the 14th day of November in the 3rd year of our reign.

For 15 pounds paid into the hanaper.²

XXX. Charter of Philip and Mary. [2 July, 1556.]

[A Charter defining the Bounds of the County of the City.]
Translation.

Philip & Mary by the grace of God King & Queen of England France Naples Jerusalem & Ireland Defenders of the Faith Princes of the Spains & Sicily Archdukes of Austria Dukes of Milan Burgundy & Brabant Counts of Haspurg Flanders & Tyrol to all to whom the present letters shall come greeting. Whereas our City of Norwich is an ancient City of itself separated & divided from our County of Norfolk and incorporated by the name of the Mayor Sheriffs Citizens & Commonalty of Norwich And by the same name the Citizens and Inhabitants³ of the said City from time of which the memory of man exists not have had & enjoyed by gift of our progenitors many jurisdictions, franchises liberties & privileges within the said City and its suburb. And because in the incorporation of the said City the limits metes & bounds to which the jurisdiction of the said City should extend are not otherwise particularly specified than that they should extend within the City & the suburbs of the said City, [not only contentions⁴ have arisen but many evil doers have gone unpunished because the Mayor & other officers of the City cannot enter to execute their office, and the Officers & Justices of the County of Norfolk are too far off to come in convenient time to punish such delinquents]; We willing to make reformation thereof give & grant

¹ This was after Kett's rebellion.

² Seal damaged.

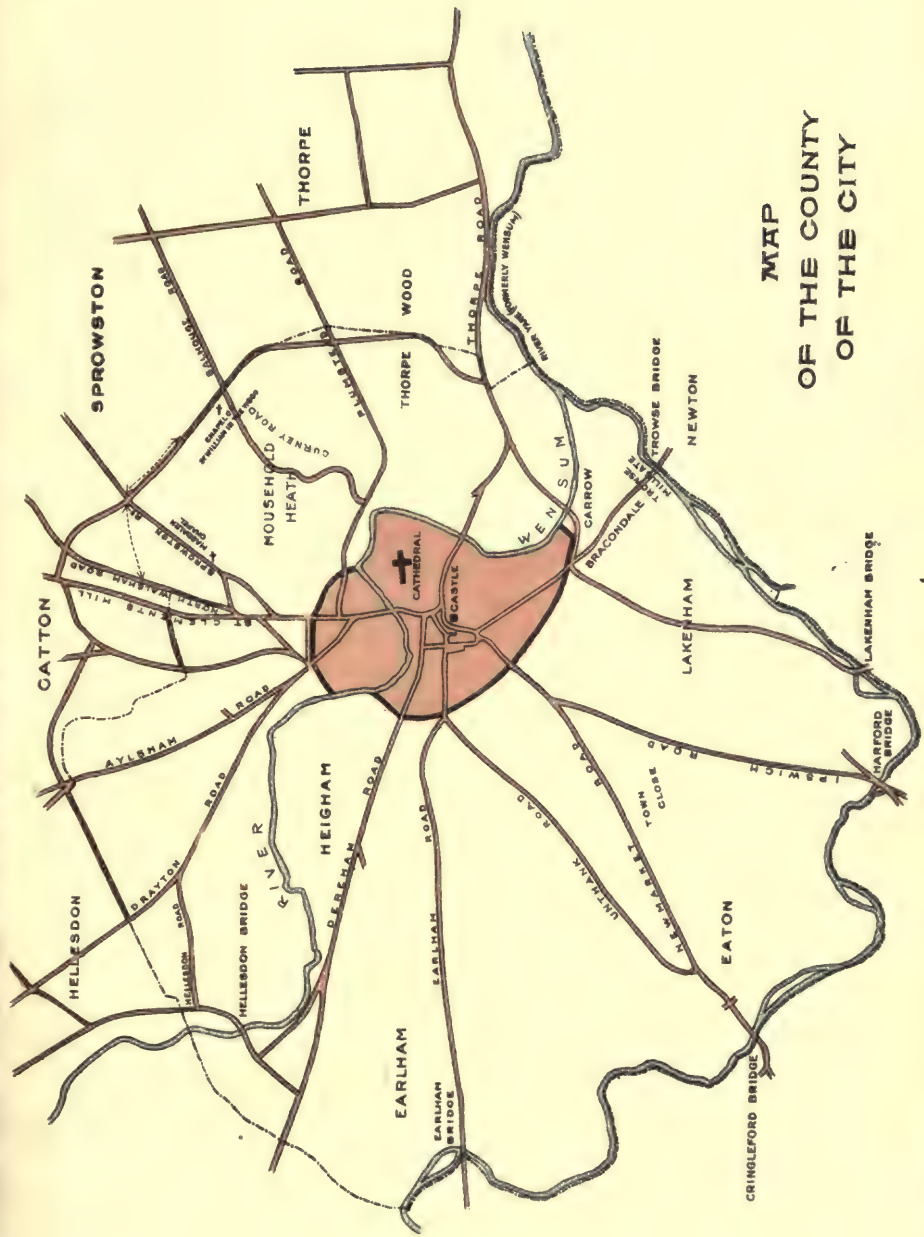
³ This must be an incorrect reference to the expression "cives inhabitantes," resident citizens. No Charter was granted to "inhabitants" as distinguished from "citizens." Non-citizen inhabitants enjoyed certain "liberties & privileges" as compared with outsiders but did not share with the citizens in "jurisdiction & franchises."

⁴ See Introduction VI. 1, 2, 3.

. . . . to the now Mayor & their successors that as well the whole land within the outer walls of the said City and all buildings built or constructed within the said walls as all the land soil ground waters rivers vill¹s hamlets suburbs buildings built & existing within the limits metes & bounds following, to wit from the water of Wensonne in times past granted to the predecessors of the said M. S. C. & C. by the progenitors of us the said Queen and from thence by the outer part of the stream called Trowys Eye to the bridge of Trowys & from the said bridge of Trowys by the outer part of the bank of the stream there to the bridge of Lakenham called Lakenham Brydge And from the said bridge of Lakenham by the outer part of the river there to the bridge of Harforde commonly called Harforde Bridge And from the said bridge called Harford Bridge by the outer part of the stream there to the bridge of Cringleford commonly called Cringleford Bridge And from thence by the outer part of the stream there to the bridge of Ereleham & from the same bridge of Ereleham by the outer & western parts of the vill¹ of Erleham direct to the King's river called the King's river of Heilesdon & from the said river to the bridge of Heilesdon commonly called Heilesdon Bridge And from the said bridge to the water late of the water Mill of Heilesdon called thold Mille Damme And from the said water by the common way leading through the midst of the vill of Heilesdon direct by the common lane leading on the eastern part of a Close called Heylesdonne Woode And from the northern end of the said lane by a certain green way leading directly to a certain parcell of land upon which a certain Cross called le Whyte Crosse was formerly constructed standing in the King's way leading from our said City of Norwich to Horsham St Faith² And from the said parcel of land directly to the northern part of a close called little Mushold And by the northern part of the said close now or late in the tenure of John Crychemaye senior And from thence directly to the northern part of a certain close called Wrenne Parke containing two acres now or late in the tenure of Nicholas Norgate And from thence to the junction of two ways northwards & eastwards of the aforesaid close called Wrenne Parke Of which ways one leads to our aforesaid City of

¹ "Vill" is used to describe the whole circuit of lands in a parish or township, not the village only.

² A village $4\frac{1}{2}$ miles north of Norwich.



MAP
OF THE COUNTY
OF THE CITY

Boundaries Indefinite ← ----- →

Norwich And the other way of the said ways leads to the Chapel of the blessed Mary Magdalene And from the said junction or point of the said ways directly to the close late of Nicholas Sywhat Alderman of Norwich now of John Corbett Esquire lately called le Safferne Close leaving the said close on the northern part And so from the said close upon a green way directly leading to the copse¹ called Sayncte Williams Wood & including the said copse And thence by a certain green way lying on the northern part of the copse called Thorpe Wood And so to the high way leading from our said City of Norwich to the vill of Thorpe And by the same way westwards to the northern end of a common way leading from the said high way to the water of Wensonne near the Manor of Newton called Newton Hall And by the said water eastwards by the whole breadth of the water to a certain cross called Hardeley Crosse² And so returning by the whole breadth of the said water of the Wensonne to the outer part of the river called Trowys Eye above expressed and specified should henceforth for ever be separated & divided from our said County of Norfolk. And all & every the land soil being within the limits aforesaid henceforth for ever for us and the heirs of the said Queen we unite annex & incorporate by [these] presents to our said City of Norwich and the County of the said City [The Castle & the Shirehouse excepted].

Full jurisdiction is granted within these bounds and the right of annual perambulation; saving their rights to other holders of liberties within the bounds.

Witness ourselves at Grenewiche on the first day of April in the 2nd year of our reigns.

P. Care.

By writ of privy seal & of date aforesaid by authority of parliament.³

XXXI. First Charter of Charles II. (*Abstract.*) [26 June, 1663.]

Charles &c. Whereas our City of Norwich &c. [as in Charter of Philip & Mary] We will ordain &

¹ Boscum. St William of Norwich was supposed to have been crucified by the Jews in 1144. A chapel was built on the spot where his body was found Blomefield (*Hist.* iii., 26); *Life of St William*, by Jessopp and James, Camb., 1896.

² About 15 miles below Norwich. The whole river was formerly called the Wensum as far as Breydon Water near Yarmouth, which was the old limit of the jurisdiction. See Custumal (No. XLIX) Ch. 9 and No. LXXXVIII. ³ Seal damaged.

grant & confirm to the said Mayor &c. . . . & their successors the aforesaid Incorporation & Body Corporate [Incorporacionem & Corpus Corporatum predictum] & all & every kind of liberties

For the better use of such liberties we constitute John Croshold¹ Mayor of the said City, Joseph Paine Knight, Henry Watts, John Rayley, Barnard Church, John Man, John Salter, Christopher Jay, John Osborne, Richard Wenman, Esquires, William Tooke, William Heyward, Augustine Briggs, Thomas Wisse, Robert Bendish, Richard Coldham, John Laurence, Francis Morris, Henry Herne, James Long, Matthew Markham, Henry Wood, Henry Watts junior & John Manser Aldermen, Francis Cory Esquire Recorder, William Watts Esquire Steward and Thomas Balteston Common Clerk to continue in their offices; the Mayor, Recorder, Steward and such Aldermen as have been Mayor to be Justices of the Peace. An Alderman who has not been Mayor shall be Justice in & for the whole Ward² of the City for which respectively he has been or shall be elected Alderman [In & per totam wardam civitatis pro qua respective electus & nominatus est vel fuerit Aldermannus].

All officials are to take their accustomed oaths. If any person who at any time in future shall be elected in any ward of the City to be of the Common Council or of the Livery³ of the City [de Comuni Consilio vel de Panno Anglice Livery Civitatis] refuse to take his oath within ten days, or if the person aforesaid at the Assembly of the Mayor Sheriffs Aldermen & Common Council [Communis Consilii] of the City cannot show good cause to the contrary to be allowed by the Mayor Sheriffs Aldermen & Common Council or the majority of them he shall forfeit to the use of the Mayor Sheriffs Citizens & Commonalty of the City for the repair of the walls such fine as shall be determined by the Mayor Sheriffs Aldermen and Common Council not exceeding £20.

One of the Sheriffs is to be elected by the Mayor, Sheriffs

¹ This is the first time any officials are named in a Norwich Charter.

² This must be the great not the small ward, as appears clear from the clause below on the election of a new Alderman and from Charles' 2nd Charter which specifies the Aldermen as appointed for the four great wards. The question was never settled, see Introduction VII. 8 end.

³ This can only be another name for the Common Council. The Freemen as members of one or other of the Gilds wore a livery, but they were not elected in the Wards.

& Aldermen between 24 June & 1 September; the other by all citizens resident in the city & county of the city on the last Tuesday in August. Both to be sworn to their office on 29 September.

A new Alderman is to be elected by the resident citizens of the great ward where the vacancy occurs. Anyone refusing to serve when elected or neglecting his duties & not returning to resume them shall be fined by the Mayor Sheriffs Aldermen & Common Council at a public assembly a sum not exceeding £200.

The power of making ordinances &c. is granted to the Mayor Sheriffs Citizens & Commonalty, so that the Mayor Sheriffs & Aldermen for the time being or the major part of them with the assent of the sixty Concitizens duly chosen yearly for the Common Council of the City or the major part of them at an Assembly of the Mayor Sheriffs Aldermen & Concitizens held for the City may make . . . laws . . . for the better government of the Citizens and of the several Societies of Arts & Occupations in the City.^a

Confirmation is granted of the right to hold, as held immemorially,¹ a Court of Equity before the Mayor and Justices of the Peace or any three of them the Mayor being one, upon bills & plaints exhibited by any citizens or inhabitants in cases where an equitable remedy may appear & none can be obtained by Common Law, & to remove such causes from the Sheriffs' Court of Pleas.^b

The Mayor may take recognisances of the Statute Merchant. The Sheriffs may hold their Court of Pleas. All former Charters & Grants are confirmed on payment of the fee farm rent & other usual payments.

Witness myself at Westminster on the 26th day of June in the 15th year of our reign.^a

By the King himself.

"Dedimus & concedimus . . . Maiori Vicecomitibus Civibus & Communitati quod licitum sit & erit Maiori Vicecomitibus & Aldermannis pro tempore existentibus vel maiori parte eorum . . . de assensu sexaginta Concivium pro Communi Consilio Civitatis predictae debito modo annuatim eligendorum sive maioris partis eorum presentis ad

¹ No Court of Equity is mentioned by name before this date. The claim to immemorial use may refer to the powers granted to the Mayor by the Charter of Henry IV. (clause *e*) as agreed to in the Composition of 1415 (No. XLI. 5). The Municipal Reform Commissioners (Report IV. 2468) say "held by prescription and by Charter."

^a Seal lost.

aliquam congregacionem Maioris Vicecomitum Aldermannorum & Concivium pro Civitate tenendam leges ordines & constitutiones facere apponere & ordinare pro meliori gubernacione moderacione & regulacione Civium & separabilium Societatum Artium & Aucupacionum in Civitate consonantes bone fidei &c.

^b Cumque nobis datum est intelligi ex parte M. V. C. & C. quod Maior et Justiciarii Pacis vel aliqui tres vel plures eorum quorum Maior fuit unus extempore cuius contra memoria hominum non existit habuerunt & usi fuerunt habere & tenere Curiam Equitatis super Billas & Querelas coram eis exhibitas per aliquos Cives vel Inhabitantes Civitatis versus aliquas alias personas quascunque unde causa equitatis relevabilis apparebit pro & concernentes aliquam occasionem causam sectam vel materiam differentie ortas infra Civitatem et vocare & remove coram eis extra Curiam Placitorum in Civitate usualiter tentam coram Vicecomitibus talem accionem qual' in & super aliquam Billam vel Billas coram M. & Justic' exhibitas aliqua causa vel materia equitatis apparebit & unde persona querens remedium habere debuit antequam in huiusmodi occasione placitatum sit ad exitum et unde per Communem legem remedium habere non potuit &c.

XXXII. Second Charter of Charles II. (*Abstract.*) [22 March, 1682/3.]

Charles &c. To all &c. Know ye that We graciously desiring the amelioration of our City of Norwich and County of the same City . . . & at the humble petition of the late¹ Mayor Sheriffs Citizens & Commonalty of the City of Norwich . . . have constituted . . . that the aforesaid City should henceforth be & remain for ever a City incorporate and a County of itself. And that the Citizens and Inhabitants be & shall be one Body Corporate and politic in reality deed & name [in re facto & nomine] by the name of the Mayor, Sheriffs Citizens & Commonalty.

The King appoints John Low "primum & modernum Maiorem" till Tuesday before the feast of St John Baptist; Philip Stebbing & Laurence Goodwin "primos & modernos Vicecomites" till Michaelmas; twenty-four persons (named) to be "primos & modernos Aldermannos" for life, six being specified as Aldermen of each of the four great wards; sixty "de melioribus & probioribus

⁸ The Charter of Liberties having been surrendered (Introduction VIII. 5) the Corporation is treated as having for the time ceased to exist. The expression "first and modern" used of all the officials appointed is a claim that the future government of the city is to be traced solely to this act of Royal authority.

civibus," who shall be called & named Common Councillors [Communes Consiliarii] of the City for all things touching the City Liberty Suburb & Precinct and their good rule state & government and be assistants & aiders [assistentes & auxiliantes] of the Mayor Sheriffs & Aldermen for the time being. The King appoints by name these sixty "prim. & mod. Cives Consilarios" who are to continue in office for life, specifying twelve for Conesford, Berstrete & Trowse, sixteen for Mancroft, twenty for Wymer, twelve for Ultra Aquam. He appoints "consanguineum meum Willelmum Comitem de Yarmouth¹ prim' & mod' Recordatorem" & Robert Davis "prim' & mod' Senescallum," both to sit for life unless removed by the Common Council. Similarly Nicholas Morley is appointed Coroner and Thomas Cory Common Clerk.

"And moreover of our special grace we have granted to the aforesaid Mayor Sheriffs Citizens & Commonalty that the Mayor for the time being and the Aldermen or any twelve or more of them for the time being & the two Sheriffs & the Common Councillors or the greater number of them be & shall be the Common Council of the City [Maior & Aldermanni & Vicecomites & Communes Consiliarii sint Commune Concilium² Civitatis] for all future time for treating & determining all causes business whatsoever of the said Mayor Sheriffs Citizens & Commonalty."

All vacancies are to be filled by election according to the custom of seven years past All office bearers are to take the oaths of allegiance & make all due declarations. But no one is to take his oath till after twenty-eight days from election; within which time the King may object and on notice of such objection being received the office is to be ipso facto vacated & a new election made

Witness myself at Westminster on the 22nd day of March in the 35th year of our reign.

By writ of Privy Seal.

For fine paid into the hanaper of £6 13s. 4d.

T. North C. S.³

¹ William Paston, of Oxnead, 2nd Earl of Yarmouth, who had married Catherine Boyle, a natural daughter of Charles II. (Blomefield, *Hist. Norf.*, VI., 491; Gairdner, *Paston Letters*, 1896, I., xxi.

² On this statement as illustrating the meaning of the expression "Common Council," see Introduction V. 8, note c.

³ Seal; only two fragments remain.

XXXIII. Concerning the Foundation of the Cathedral Church of the Holy Trinity of Norwich and other matters.¹*(From the Book of Pleas, foll. 58-59.)*

In the one thousand and sixty-sixth year from the Incarnation of the Lord, William Duke of Normandy and Conqueror of the English was crowned on the day of the Nativity of the Lord. Who, in the year following, after the death of Herfast promoted his Clerk William Beaufeu to the Episcopate of Estanglia, who transferred the Episcopal seat from Elmham to Thetford. Afterwards William King and Conqueror of the English went the way of all flesh in the twenty-second year of his reign and rests buried at Caen in Normandy, after whom reigned William Rufus his son who brought with him from Normandy to England one of his Chaplains Herbert Prior of Fescamps whom he much loved, on whom the King conferred the Abbey of Ramsey, [and^a in the third year after this William Bishop of Estanglia paid the debt of death, in whose place William Rufus the King substituted Herbert Abbot of Ramsey] and so he was made Bishop of Estanglia. Afterwards [it^b came to pass by ordering of the grace of God that] the said Herbert the Bishop setting himself to establish the Cathedral seat in some fixed place for ever acquired and bought a certain place at Norwich Castle called Couholm, a pasture belonging to the Manor of Thorp, the inhabitants of which place had all their ecclesiastical sacraments and even burial at Thorp and at all times answered, with the men of the hundred of Blofeld, before the King's Justices with them of Thorp. Whence the way adjoining the said place on the part of the north has the name Holmstret. And within the said place called Couholm was situated a Church of St Mary which was founded long before the Conquest, which men still in these days call the Church of St Mary in the Marsh. And in proof of this all the Rectors of

¹ This document is plainly compiled in order to set forth the justice of the claims of the Prior and Monks to exempt jurisdiction in certain parts of the City. As it constantly describes the grantor of the Charter to the Citizens in 1194 as Richard *the First*, it cannot, unless this is a later interpolation, date earlier than the reign of Richard II. On the other hand, no mention is made of the conversion of the City into a County with an assumed extension of suburban jurisdiction by Henry IV. in 1404, nor of anything later than 1272. The original is given in Dugdale's *Monasticon* (IV. 17) from a copy found in the Chartulary of Binham Priory. It is here therefore translated.

² This clause is omitted in the *Book of Pleas*.

³ Omitted in the *Binham Chartulary*.

the churches of the deanery of Blofeld with their parishioners make a solemn procession from year to year and come to the church of St Mary in the Marsh in procession on the Monday in the week of Pentecost. Therefore the said lord Herbert the Bishop having acquired an open place and had it confirmed to him by William Rufus by his charter, the tenor of which charter follows in these words:—William King of the English to Humphrey the Chamberlain and to Richard Passelew and to Odbert and to all his faithful, French and English, of Norfolk and Suffolk greeting. Know ye that I have given to Herbert the Bishop all those lands which Walkelin¹ the Bishop and R. the chaplain and Roger Bigot saw and marked out and caused to be gone round² for making his church and for making his houses for his Monks at Norwich Castle and that with sake and soke and all other customs, so however that the Bishop establish there Monks who may serve God there persevering to the end of the age. And you, Humphrey and Ralph and Odbert, seise³ the Bishop thereof. Witnesses W. the Bishop and Ranulph⁴ the Chaplain at Salisbury:—the ground therefore being given to Herbert by the said Charter and confirmed to him, the said Bishop the lord Herbert in the year of the Lord one thousand and ninety-six and in the tenth year of the said King William Rufus began to build the Mother Church in the said place called Couholme in the name of the Holy Trinity and laid the first stone on which is there found written, The Lord Bishop Herbert laid the first stone In the name of the Father and Son and Holy Spirit Amen. Which Cathedral Church he instituted and ordained for himself and his successors [and] procured to be established and confirmed by Pope Paschal as the Mother Church of Norfolk and Suffolk and prayed that it might remain so for ever. And he set the Palace of the Bishop on the north of the said church and the houses of the Monks on the south. And for having free egress and ingress upon his own ground to his church and the houses of his monks he acquired by exchange before the gates of his Monastery towards the west the palace of Roger Bigot Earl of Norfolk and the land of St Michael belonging to the said palace, which in these modern days is called Tumlonde lying towards the west

¹ *Binham Chartulary* has "William."

² *circuiri, Book of Pleas; amensurari, Binham Chartulary.*

³ *saيسة, Binham Chartulary; facite, Book of Pleas.*

⁴ *Rogero N., Binham Chartulary.*

before the gates of the Monastery. In which land was formerly situated a Chapel in the name of St Michael. Which Chapel the venerable Herbert the Bishop transferred and removed and caused to be set up on a certain hill towards the east of the said monastery on the north part of his¹ church of St Leonard which is now called the Chapel of St Michael de Monte. And in memory of this Chapel the venerable Herbert the Bishop, in the same place where the Chapel had been founded, caused to be erected a stone cross and he had an image of St Michael placed on the summit, for a bound between the town and the franchise of his church and that cross was called the Cross of St Michael and is still so called to this day. Which land of St Michael with the land in Taverham William Rufus the King gave to the venerable Herbert the Bishop [and² confirmed to the said Bishop by his charter of which the tenor is as follows:—William Rufus King of the English to Herbert Bishop of Norwich] and to all his Barons of Norfolk and Suffolk greeting, Know ye that I have given to the Church of the Holy Trinity of Norwich on the petition of Roger Bigot the land of St Michael³ and the land of Taverham which belongs to the said land, always quit and free from all socs⁴ [? suits] and gelds and all other customs. Witness, Eudo the Dapifer at Westminster. Which land of St Michael begins at the head of a certain lane called Neugate⁵ which lay between the cemetery and the Church of St Cuthbert on the south and the Manse of the Friars Minors. Which lane is included now in the said Manse of the said Friars and the said lane abutted upon the common way leading from Consford to Fybrigge and from that head by the middle of the King's highway towards the north tending to a wooden cross standing opposite to the Carnary which [way] at present is called Tumlonde, for which land and Manor of Taverham which then belonged to Earl Roger Bigott the venerable Bishop Herbert gave in exchange a carucate of land in Silham and another carucate of land in Wikes which Earl Roger gave to his monks of Thetford. And of the said palace of the Earl there remains one house before the gates of the Monastery called le Stonhowe⁶. And

¹ Omitted in *Book of Pleas*.

² This is all omitted in *Book of Pleas*.

³ *Binham Chartulary* adds "de monasterio."

⁴ Socis. *Binham Chartulary* has "sectis."

⁵ In margin, in later hand, "Neugate, a'ts Bugate." *Binham Chartulary*, "Beugate."

⁶ *Binham Chartulary*. "le Stonhowe."

in order that the Monks might more securely hold that plot,¹ to wit, the palace of the Earl [and] the land of St Michael with the land of Taverham, Earl Roger Bigott rendered into the hands of the said King William Rufus [that^a palace and] the land of St Michael, which is now called Tumlund, with the land of Taverham, and the said King enfeoffed the lord Herbert the Bishop and his church of the Holy Trinity by his charter of the palace, the land of St Michael and the land of Taverham in pure and perpetual alms and privileged them in all franchises as previously the Monastery was privileged. And all the rest of the precinct of the said church, that is, from the bridge of St Martin towards the east by the middle of the water in circuit to Lovellestath towards the south and up a by lane leading to the common way of Nethirconsford and by that common way to the Messuages which formerly belonged to John de Marisco and Hawyse his wife and afterwards to Peter de Strumsawh, which now are within the close of the Friars Minors and from these Messuages by a^s lane called Bugate which formerly lay between the Cemetery of St Cuthbert and the Friars Minors, which now is enclosed within the precinct of the Friars Minors as is plainly and clearly patent to one who looks into it, and from that lane abutting upon the common way toward the west leading from Consford to Fybrigge, which way includes toward the east that plot which formerly was the palace of Roger Bigott the Earl on one part, which is now called Raton rowe, and the aforesaid land of St Michael which is now called le Tumlund and that way which separates or divides the franchises of the church from the franchises of the town, which way is divided before the great gates of the church and bounds the land of St Michael towards the south, which is le Tumlund, from the land of the town towards the north and tends by the angle of the wall of the monastery to the bridge of St Martin and includes the vacant plot of land lying before the gates of the Bishop's palace towards the north. Which precinct the said venerable Herbert the Bishop caused to be strengthened with Royal franchises and Papal privileges, obtaining that if any man endeavoured to expel the Monks or by rashly vexing them to wear them out⁴ or to take away diminish or detain

¹ Placeam.

^a Omitted in *Book of Pleas*.

^s *Book of Pleas*, "viam venellam;" *Binham Chartulary*, "unam venellam."

⁴ *Book of Pleas*, "temere vexando fatigare;" *Binham Chartulary*, "nephandam temeritate fatigare."

their goods, he should be struck by the sharp sword of Apostolic anathema. And it is to be observed that outside the walls of the monastery the said venerable Herbert the Bishop left out of the said precinct unenclosed towards the south of the said monastery the parish of St Mary in the Marsh which was called in ancient charters "the Bishop's Soke," of which the greater part is within the close of the Friars Minors and downwards to the water and the Messuages of Master Hervey de Fakenham, which afterwards were of Sir Peter de Roscelyn and the whole way to Lovellestath. And moreover they are not of the town of Norwich nor do they answer with them in lot or shot but hold solely of the church of the Holy Trinity, to which they pay langable although the men of the town by intrusion and usurpation have interfered as they have done before in le Raton rowe. Which Raton rowe with other [places] before the burning of the Monastery¹ belonged to the parish church of St Ethelbert over the gates of the Monastery and after the burning to the parochial church of St Mary in the Marsh and at all times they were and still are within the jurisdiction of the Dean of the Manors of the Prior and Convent and do not attend upon the Dean of Norwich nor any other foreign minister of the Bishop, but they answer and have always answered at courts, leets and contributions² with the men of Holmestret within the precinct of the franchise of the church of the Holy Trinity and not to the Bailiffs of the town of Norwich. Afterwards by chance it happened that King William was killed in the 14th year of his reign in the New Forest and after him reigned Henry his brother who confirmed all and singular the grants before made to the church of the Holy Trinity by his brother William Rufus and granted more franchises to the said church as is patent by his charters. Therefore when Henry the first had gone the way of all flesh in the 36th year of his reign Stephen his nephew, to wit, the son of the Count of Blois took up the rudder of government after the said Henry, who by his charters confirmed all and singular the gifts which his ancestors, to wit, William Rufus and Henry his brother had made to the church of the Holy Trinity, to wit, the aforesaid place Couholme and all others contained and included within the precinct in the circuit with all franchises as King William the second held them in his hand. And afterwards in the 17th year of the reign of Stephen

¹ In 1272.² *Binham Chartulary*, "convenciones."

which was the year of the Lord 1152 the Community of the Town of Norwich made fine and accorded, as they say, with the said King Stephen for having Coroners and Bailiffs of themselves. But concerning this they have no Charter nor in time of need did they proffer one because never before the conquest nor after for 100 years and more did they have Coroners nor Bailiffs of themselves but only one Bailiff who in the name of the King held courts and collected amercements as it was in Beccles or in Bongey or in other towns where merchandise is sold. [And¹ the said Bailiff of the town of Norwich never exercised his office within the precinct of the said land of Couholme nor of any other lands belonging to the liberties and franchises of the church of the Holy Trinity of Norwich.] And afterwards when Richard the first was King the aforesaid Community of Norwich took to farm from the hand of the said King Richard the first the City of Norwich with all its franchises and profits as the said King to that time had them in his hand and as the Charter of the said King Richard testifies, the date of which is on the 6th² [sic] day of May in the 5th year of his reign, which was the year of the Lord 1194. And afterwards when sixty years had elapsed, to wit, in the 37th year of the reign of Henry III. which was the year of the Lord 12[53]³ the Commons of Norwich had license to enclose the said town with ditches which they could in no way do without prejudice of others by enclosing lands of other fees and other franchises and lying in divers hundreds, to wit, the aforesaid precinct of Couholme and the land of St Michael which Herbert the Bishop acquired for founding his church in the hundreds of Blofeld and Taverham [and⁴ the land of Normanslond likewise in the hundred of Taverham] and the land of Thedwardescroft which now is called Neugate belonging to the Manor of Lakenham in the hundred of Hulpezerd⁵ which lands King William the Second and Henry his brother, Kings of England, granted to the church of the Holy Trinity of Norwich and endowed with privileges and franchises as their charters testify, to hold with all franchises freely and quietly as the said Kings held them in their hands. And moreover the Commons of Norwich enclosed Goshill land belonging to the

¹ This sentence is omitted in *Book of Pleas*. ² *Binham Chartulary*, "Vto."

³ *Binham Chartulary* has erroneously MCCIX.

⁴ Omitted in *Binham Chartulary*.

⁵ *Binham Chartulary* has "Humilizerde."

Prioress of Carrowe lying from Consford gates to Berstret gates and the aforesaid precinct of Neugate and the croft of St Mary in the Fields and the croft of St Augustine where the bailiffs¹ of the hundred of Taverham hold their courts to the present day, and other lands they enclosed with ditches up to the gates of Fybrigge, and they made ditches on the land of the Prior of Norwich from the said gates of Fybrigge to Barregates out of those portions of land which before the 5th year of King Richard the first were privileged and endowed with divers franchises [and] totally separated from the said town of Norwich and given in pure and perpetual alms to the church of the Holy Trinity as in the Charters of Kings William the second Henry the first and Stephen may evidently appear, as Herbert the Bishop petitioned for them and gave them to the church of the Holy Trinity for ever, with other lands to that time being in the hand of the King. But when the town of Norwich was defined [and] enclosed with ditches, those lands which had not been privileged and endowed with franchises before the 5th year of the reign of King Richard the first, the said King Richard the first granted in farm to the Burgesses of Norwich which in those days he had in his hands, and not those which his progenitors granted and at the petition of the venerable Herbert confirmed to the church of the Holy Trinity by their charters. [And² after the Commons had taken the town of Norwich to farm from the hand of King Richard as is aforesaid they began to plead against the Prior and Convent of the cathedral church of the Holy Trinity for having common pasture in the common of Lakenham towards Herfordbriggas and in the common towards Eton where they had never commoned before as in their own proper common, excepting only those who dwelt in Thedwardescroft, that is Neugate, who at that time were tenants of the manor of Lakenham and answerable to the leets and courts of the said manor, but in the 11th [sic] year after the commons took the town of Norwich to farm which was the 6th year of the reign of King John the monks and commons came to an agreement as appears by the final concord made at Woodstok and so that controversy ceased, which was the first controversy between the mother church and the commons of Norwich].

¹ *Binham Chartulary* has "balliuis tenet."

² This paragraph is omitted in the *Book of Pleas*.

And therefore you who have not [in¹ true and certain knowledge the mode or] the process of the foundation of your Mother Church of the Holy Trinity of Norwich thus briefly without default or fraud may hear it,² as it is best found in the charters of kings and chronicles of Bishops and other evidences.

XXXIV. Opposition of the County People to the enclosure of the City in 1253.

(*P. R. O. Ancient Petition, 8942.*)

To our Lord the King his people of Norwich shew that whereas they have licence to wall and enclose the said town³ as they shall see that it may be best for the profit of the King and the greater security of the town, accordingly they began to enclose the said town & ordain 9 chief gates which will much require great guard in time of war. Then come the strangers of the country who were wont to enter & go out of the said town at their will where ever they wished by default of enclosure & now cannot do so, [and] cause to be presented at the tourn of the Sheriff that the people of the said town of Norwich have disturbed their common ways, wherefore the Sheriff amerces them at the same time in 10 marks & 10 pounds at his will whereof the people of Norwich pray remedy of it.

A nostre seignour le Roy mustrent ses gentz de Norwy3 que par la ou il ont conge de murer & enclour la dite ville sicome ils verront que meutz soit au profit le Roy & greynure surete de la ville si unt il commence de cete ville enclour & ordene neof chief portes que molt demanderont graunde garde en temps de gerre, venent les foreyns du pays qui soleyent entrer & issir le dite ville a lour volonte par la ou il voleient par defaute de enclosure & ore ne le poont pas issi fere, fount presenter au tourn de visconte que les gentz de la dite ville de Norwy3 ont destourbez lour communes voyes parquoi le visconte lour amercie a la foitz en dis marcs & dis liures a sa volonte dont les gentz de Norwy3 de coe prient remede.⁴

¹ Omitted in *Book of Pleas*.

² The conclusion of the document in the *Binham Chartulary* runs thus: "may hear it and have true knowledge, as we find it in Papal bulls, in charters of kings and bishops, in chronicles and other trustworthy and sufficiently authenticated evidences."

³ Introduction III., 5.

⁴ Endorsement too defaced to be intelligible.

XXXV. Extracts from the Letter of Pope Gregory against the Citizens of Norwich after the Riot of 1272.

(*From Chronicle of Bartholomew de Cotton*, Rolls Series, Vol. xvi. p. 421.)

Gregorius episcopus, servus servorum Dei, venerabilibus fratribus Londoniensi & Eliensi episcopis salutem & apostolicam benedictionem. [The Prior & Convent of Norwich had complained¹ that the citizens, pursuing some fugitives who had fled into the Monastic precinct, had presumptuously broken into the Church of St Ethelbert, the Almonry & other parts of their privileged site. And when the Bishop of Norwich had punished them by sentences of interdict & excommunication] Memorata Universitas et specialiter Nicholaus de Ely, Willelmus de Donewyco, Adam le Hespiter [Especer], Rogerus de Swerdeston, rectores² civitatis ipsius, qui balliui vulgariter nuncupantur, necnon magister Johannes le Brun clericus Norwicensis, Robertus de Couventre, Hugo filius ejus, Johannes Knot junior, Willelmus le Cunte, Walterus Knot, Hugo Scissor, Johannes Nade, Adame de Tostes [Toftes], Simon le Palmere, Johannes Lestot [Le Scot], Willelmus Payn, Thomas de Carletone, Paulus dictus Benedicite, Johannes dictus le Graunt & Henricus de Heylesdone, cives Norwicensenses, quorum consilio eadem universitas tunc temporis regebatur, [because the said persons had been received into the monastery, moved with passion, planned an iniquitous design]. De ipsius namque monasterii finali exterminio dolosa ineuntes consilia, ea juramentis & aliis variis colligationibus roborarunt; et demum omnibus de universitate predicta, qui duodecimum suæ ætatis annum exegerant, voce preconis et per campanæ sonum ad extremum ipsius monasterii convocatis exterminium, univertitas ipsa hostilibus insultibus in monasterium predictum insiliit &c. [Here follows an account of the damage done. Afterwards the Pope orders sentence of excommunication to be proclaimed throughout all England against the rioters] et specialiter ac nominatim rectores sive balliuos et consiliarios supradictos, qui magis culpabiles in premissis excessibus et eorundem quasi principales fuisse dicuntur actores, &c. . . . Datum apud Urbem Veterem iii^o idus Martii pontificatus nostri anno primo [1273. The MS. of *Cotton's Chronicle* at Norwich has viii id: Februarii].

¹ Introduction III., 6.

² These Bailiffs had been elected at Michaelmas, 1271.

XXXVI. Complaint of the "Middle People" of the City.

(*P. R. O. Ancient Petition, 6435. Early Fourteenth Century.*)

To our Lord the King, the middle people of the Community of the town of Norwich shew that, as our Lord the King of his grace has granted certain Justices to have the account of the collections tallages and fines levied from the middle people since his coronation by the Bailiffs and by the Rich of the said town, when the Justices came to view the account the said Bailiffs & the Rich who expected to be found guilty spoke so fair towards the said middle people undertaking that all things done towards them should be so redressed & amended that they should have no occasion to complain & from that time forward no tallage should be levied from them without the common assent of them all & for that promise they ceased from their suit for that time, & now come the Bailiffs & the Rich contrary to their promise aforesaid & have levied now afresh since the departure of the King¹ & the Justices aforesaid 200 marks without warrant & moreover threaten to make a higher tallage from one day to another at their will, whereof they complain & pray our Lord the King that he will please to command that the Justices hear the account aforesaid according to the Commission which they have from the King & that it will please the King to grant that such tallages be no more levied without special warrant of the King. For if the King do not set a remedy to this thing they will be so destroyed that they will be no longer of power to serve the King when the time shall come.

Dorse. Norw. Norf. Before the Council.

Let them sue their account before his Justices assigned to this purpose & if the tallage has been made beyond the assent of the Community let them have a Writ from the Chancery against

¹ The King referred to must be Edward II. who signed an order for a Muster at Norwich on 26 January, 1326 (*Rot: Pat:* 19 E. II., pt. 1). Ancient Petition No. 6506 seems to refer to the same complaint. In it the "poor people of the Community of Norwy³" state that the King had sent Walter de Norwich and his fellows to Norfolk to enquire into complaints against his Bailiffs. At Norwich the Bailiffs had packed the jury, so that complainants dared not come. They pray that the Bailiffs may be suspended from office during enquiry and that John Bourt and Richard de Toft may be heard on their behalf. Both requests were granted. Walter de Norwich, a Baron of the Exchequer, lived into the reign of Edward III., and Richard de Toftes was alive in 1337.

those who have laid such a tallage upon them that they be before the King to answer to the King & them &c., & that henceforth it be not done.

A nostre seigneur le Roi monstrent les menes gentz de la cominaute de la ville de Norwiz que come nostre seigneur le Roi de sa grace eust grante certeignes Justices avoir lacompt des cueillettes taillages & fyns leuees des ditz menes gentz puis son coronement par les Bailiffs & par les Riches de mesme la ville quant les Justices vindront voir cele acompt les Bailiffs & les Riches auaunditz qui entenderent estre trove coupables parlount tant bel deuers les menes gentz prestrent a main que totes choses deuers eaux faites serroient si redrestrees & amendees quil naueraient mester de pleindre & de cele hore enauant nul tallage ne serroit leue de eaux sanz comun assent de eaux tous & pour cele promesse il cesseront de lur swite a cel foitz, & ore venent les Bailiffs & les Riches encontre lur promesse auaundit & ont leuez ore de nouele puis le departir le Roi & les Justices auaundits cc marcs sanz garant & encore manassent de plus haut tallage faire de jour en autre a lur volonte de quoi il se pleignent & prient nostre seigneur le Roi quil vueille comander que les Justices oient la compt auaundit selonc la commission que il ont depart le Roi & quil pleise au Roi qil lui graunt que cieus taillages ne soient mes leuez sanz especial garant du Roi. Car si le Roi ne mette remedie en ceste chose il serront si destruit qil ne serront mie de poer de seruir le Roi quant temps seroit.

Dorse. Norw. Norf. Coram Consilio.

Sequantur compotum suum coram Justiciis suis ad hoc deputatis & si tallagium factum fuit preter assensum communitalis habeant breue de Cancellaria versus eos qui tale tallagium eis imposuerunt quod sint coram Rege quod respondeant Regi & eis &c . . . & quod de cetero non fiat.

XXXVII. Extract from a Plea between the Town of Great Yarmouth & the Community of Norwich. (*Translation.*)

(*From Book of Pleas, fol. xxi.*)

Pleas before the King in the 6th year of the reign of Edward III. (1332).

On which day [date not given] came as well the Community of Great Yarmouth by Roger Grisel their attorney as the Citizens of Norwich by their attorney. And the aforesaid Community proffers here in court a charter of the lord Edward formerly King of England grandfather of the lord King now concerning certain

liberties granted to the Burgesses of the town of Great Yarmouth in these words, Edward &c. And they say that the said Town of Great Yarmouth is situated on an arm of the sea where the lord King & no one else can at his will grant a port & confirm it whereby the said Community by virtue of the said grant of the liberties contained in the said charter has justly used &c. And the said Citizens of Norwich say that the City of Norwich was a merchant town [villa mercatoria] & a city of the realm of England & situate upon a river of water which extends from the high sea to the said city & there were there & still are a fair twice a year & a market every day in the week [&] mooring [applicatio] of ships & boats as well of the said citizens as of other strangers coming thither with all kinds of merchandise & goods [cum universis mercandisiis & mercimoniis] from time whereof no memory exists before the town of Great Yarmouth was settled [situata] & inhabited And they say that the citizens of that time freely quietly & without hindrance of any could buy & sell all kinds of merchandise & goods at Little Yarmouth [now Southtown] & through the whole realm of England & load & carry such merchandise & goods to the said city of Norwich as well by land as by water from the high sea by the aforesaid arm of the sea which is now called the Port of Great Yarmouth up to the said city of Norwich. And likewise the merchant strangers did so in that manner & [were wont at] the said city, on paying the accustomed dues [custumas consuetas] to the Kings of England who then held the said city in their hands, to wit, for every laden ship 4*d.* & for every laden boat [batello] 2*d.* & other divers customs & profits, to discharge there their goods & merchandise & expose them for sale And afterwards before the time of memory a certain King of England Henry FitzEmpress granted to the then citizens the city with all its liberties free customs [consuetudinibus] & appurtenances from the said lord King & his heirs for ever Rendering therefor yearly to the Exchequer of the said King and of his heirs Kings of England £108, which said liberties customs & profits to the said city then belonging were extended & [a blank in the record] to be paid in aid of the said farm to the lord King & of the farm of the city granted to the citizens [After quoting a charter of Henry the King's great grandfather, Henry III. (omitting that of Richard I.) & also a charter of King Edward II. confirming the grant of these liberties, tolls &c. . . . they plead that

if these are taken away the citizens could not sustain & maintain their farm]. And now the men of the town of Great Yarmouth by force & maliciously cause the foreign merchants wishing to pass through their port to be stopped & the vessels discharged, & the herrings & other goods which the citizens of Norwich have been wont to buy freely at Little Yarmouth & carry to Norwich, the men of Great Yarmouth cause to be adjudged to them as though forfeited in the way of forstalment. They pray that the King would order an Inquisition "ad quod damnum" to be taken to enquire into the injury thus done to the rights of the citizens of Norwich

The result of the plea is not here recorded.

XXXVIII. Petition of the "Citizens" in 1378.¹

(*P. R. O. Ancient Petition*, 892.)

To our Lord the King & his most wise Council in this present parliament all his humble lieges the citizens of Norwich beseech Also whereas of old time till now they have used such custom that is to say upon new defaults & mischief, if any should be or arise in such manner that their ancient usages could not aid to remedy them by new ordinances, to do amongst themselves & in their said town & to remedy such [defaults] as seemed to them best according to good faith & reason for the common profit of their town & of the citizens & of others coming or abiding there, nevertheless because many of the commune of their town have of late been very greatly contrarious & perchance will still be [?] so unless there be there better remedies & ordinances for the good government of the town & of victuals. [They pray that] the 4 Bailiffs & 24 citizens elected each year for the commune of the said town, or the greater part of them may have power to make & establish in the said city such ordinances & remedies for the good government of the said town & of the citizens & people there coming and abiding as shall seem to them most accordant with good faith & profitable for the King our lord & for his people, & that they shall henceforth be able to amend & correct such remedies & ordinances from time to time as need shall be & as shall seem good to them for the common profit of the people. And that such articles may be added to

¹ Introduction IV. 13

your gracious grant made to them in your first parliament, for God & in way of charity without paying a fine for them in your chancery because they made a Balynger & that thereon it be commanded to the Keeper of the privy seal on your behalf that, as well of this your grace as of other grace before made to the said suppliants, he make sufficient warrant to the Chancellor of your privy seal above said.

Endorsement.—As to the first article there is a statute made in this parliament & according to the form of the said statute be it granted to them. And as to the second article it is also agreed in parliament that if their customs & usages before this time had & used there be in future difficult or defective in part or in whole, or for any causes anew arising there for which due remedy has not before been provided have need of amendment, that then the Bailiffs & 24 citizens of the said city so to be chosen there each year or the greater part of them have henceforth power to ordain & provide from time to time such remedies which may be most accordant with good faith & reason & most profitable for the good and peaceable government of the town & of other strangers there coming, as often & when it seems good to them to do for the common profit, provided that these their ordinances are profitable for our Lord the King & his people & accordant with good faith & reason as is above said. And let them have their charter thereon without paying a fine for it considering that they have made a Balynger together with the other articles granted to them before this time.

A nostre seigneur le Roy & son tressage conseil en cest present parlement supplient touz les seones humbles lieges les citezains de Norwiz Item coment que dauncien temps ils ont tanque en ceo usez tiel custume cest assauoir sur nouveulx defautes & meschief si nulles y feussent ou sourdissent par maniere tielle que lour aucienes usages ne purroient aider de les remedier par nouvelles ordinances a faire entre eux mesmes & deinz lour ville auaundite & de tielles remedier come mieltz lour sembloit acordant a bon foy & reson pour commune profit de lour ville & des citezains & dautres venantz ou conuersants illocques nient meins pur ceo que plusieurs de la commune de lour dite ville ont este ore tarde moelt grauntement contrarius & unquore peraenture verront sinoun que les melliours remedies & ordinaunces pur le bone gouvernement du ville & de vitailles y avoir que les quatre bailiffs & xxiiij citezains eslu3 chescun an par la commune de la dite ville ou la

greindre partie de ceux aient poair de faire & etablier deinz la dite cite tieux ordinaunces & remedies pur le bon gouvernement de la dite ville & de citezeins & del poeple illocques venantz ou conuersantz queux lour semblont mieltz accordantz a bone foye & profitable pur le Roi nostre seigneur & pur son poeple & que ycelles remedies & ordinaunces ils purront desore amender & corriger de temps en temps quant embusoignera & bon lour semblera pur le commune profit del poeple. Et que cestes deux articles purront estre adioustez a vostre gracious graunt fait a eux en vostre prim parlement pur dieu & en œure de charite sanz fyn en paier en vostre chancellerie a cause qils firent un balynger & que sur ce comande soit al Gardein du prive seal de par vous que sibien de ceste vostre grace come del autre grace deuant faite as ditz suppliantz il eut face suffisant garrant a Chancellor de vostre prive seal dessudit.

Endorsement. Quant au prim article il y a estatut ent fait en ce parlement & selon la forme de mesme lestatut soit ce a eux graunte. Et quant al seconde article assentu est auxint en parlement que si lour custome & usages deuant ceste heure euez & usez illocques soit auennement difficileuses ou defectives en partie ou en tout ou par aucunes causes de nouel sourdantz illocques pur quelles due remede nestait deuant purveu aient besoigne damendement que adonqs les Bailiffs & xxiiij citezeins de mesme la citee issint a eslir illocque chescun an ou la greindre partie deyceux aient desore poair dordeigner & purvoies de temps entemps des tielles remedies que mielles soient accordantz a bon foy & reson & plus profitables al bon & peisible gouvernement del ville & dautres estranges illocques venantz si souent & quantz lour mieltz semlee a affaire pur commune profit parissint que ycelles lour ordinaunces soient profitables pur nostre seigneur le Roi & son poeple & accordantes a bone foy & reson come dessous est dit Et ent aient lour chartre sanz fyn paier pur ycell purtant qils ont fait une Balynger ensemble aux les autres articles a eux devant cestre heure grantez. (Enrolled in *Rot. Parl.*: & printed in R. P. III., 41 b.)

XXXIX. The Complaints of the Major Part of the Commonalty in 1414 addressed to Sir Thomas Erpingham.
(*Case 8, Shelf c.*)

1. Querele ex parte maioris partis Ciuium et Communitatis Norwici contra Venerabiliores ciues eiusdem Ciuitatis nuncupatos.¹

1. The Complaints on the part of the major part of the Citizens and Commonalty of Norwich against those who are called the more venerable citizens of the said City.

¹ Introduction IV. 14 ; V. 4.

Ceux sont les petitions articles et greuaunces depar la greindre partie de les citezeins et la Commonalte de la Cite de Norwicz monstre3 et baillez au treshonourable seignor monsieur Thomas Erpingham Chivaler arbitrou et iuge eslu parentre les prudres homes citezeins de dite qui sont appelez gent3 destat en mesme la cite dune partie et de la dite greindre partie des citezeins et Commonalte de lautre partie, pour arbitrement & iuggement donner sur tous les actions quereles controuersies dissensions descordes et debates parentre les dit3 parties euez ou moeuez deuaunt le terce iour d'april lan de regne le Roy Henry quint apres le conquete seconde,¹ pour occasion dascuns libertees ou fraunchises par les progenitours de mesme nostre seignor le Roy a les citezeins ou al Commonaltee de dite citee graunte3, ou pour occasion dascuns usages ou ordonaunces en mesme la citee use3 ou fait3. As queux petitions articles et greuaunces la dite greindre partie des citezeins et commonaltee fait protestacion de adder & amenuser des choses a eux necessaires et besoignables parissint qils ne soient concluz de riens en mesmes les petitions articles et greuances compris ou nient compris.

2. En primes la dite greindre partie de les Citezeins et

These are the petitions articles and grievances on the part of the greater part of the citizens and the Commonalty of the City of Norwich shown and delivered to the right honourable lord Sir Thomas Erpingham knight elected arbiter and judge between the prudhommes, citizens of the said [city] who are called People of Estate in the said city, of the one part and the aforesaid greater part of the citizens and Commonalty of the other part, to give arbitrament and judgment upon all the actions quarrels controversies dissensions discords and debates between the said parties had or moved before the 3rd day of April in the second year of King Henry the V. after the conquest by occasion of any liberties or franchises granted by the progenitors of our said lord the King to the citizens or to the Commonalty of the said city, or by occasion of any usages or ordinances in the said city used or made. To which petitions articles and grievances the said greater part of the citizens and commonalty make protestation [of right] to add and diminish the things which to them are necessary and needful, so that they be not restricted to anything in the said petitions articles and grievances comprised or not comprised.

2. First the said greater part of the Citizens and Commonalty

¹ 3rd April, 1414.—

Commonalte supplient oue tout reuerence et obeisance qe toutz les articles des libertees et fraunchises par les progenitors nostre dit Seignor le Roy grauntez et confirmez a les Citezeins ou al Commonaltee de la Citee de Norwic3 soient effectuellement tenuz gardez et obseruez en toutz pointz solent la purport et effet dicelles forsque un article de liberte a eux grauntez par le darrein Roy Richard en cest forme,¹ *Preterea concessimus predictis ciuibus nostris quod si fortassis aliqua consuetudines in dicta ciuitate hactenus optente & usitate in aliqua sui parte difficiles siue deficientes existant, sic quod propter aliqua in eadem ciuitate de nouo emergencia ubi remedium prius clare non extiterit ordinatum emendacione indigeant, Balliui dicte Ciuitatis tunc pro tempore existentes de assensu viginti quatuor conciuum suorum pro communitate singulis annis eligendorum vel maioris partis eorundem xxiiij^{or} sic eligendorum auctoritatem habeant et potestatem remedium congruum bone fidei et consonum rationi pro communi utilitate ciuium ciuitatis predictae et aliorum fidelium nostrorum ad eandem confluencium apponendi ac eciam ordinandi, et ordinaciones suas huiusmodi execucioni debite demandandi² quoties et quando*

aforesaid Beseech with all reverence and obeisance that all the articles of the liberties and franchises by the progenitors of our lord the King granted and confirmed to the Citizens and Commonalty of the City of Norwich be effectually held guarded and observed in all points according to the purport and effect thereof, except an article of liberty granted to them by the late King Richard in this form,—
 “Moreover we have granted to our aforesaid citizens that if perchance any customs in the said city held and used be in any part of themselves difficult or deficient in such wise that, on account of any things in the said city anew arising where a remedy has not before been clearly ordained, they are in need of emendation the Bailiffs of the said city then for the time being, with the consent of the 24 their fellow citizens to be chosen for the commonalty every year or of the greater part of the said 24 so to be chosen, may have authority & power of applying and also ordaining a remedy agreeable to good faith and consonant to reason for the common utility of the citizens of the said city and of other our faithful [lieges] consorting to the same, and of duly putting into execution their ordinances of this sort as often and when there shall be need and it shall seem to them to be

¹ By Charter of 15th February, 1380. No. XVI. Introduction IV. 13.

² Giving them in charge to the proper persons to be carried out.

opus fuerit et eis videbitur expedire. Dumtamen ordinaciones ille sint nobis et populo nostro utiles ac bone fidei et consone rationi sicut predictum est. La quele libertee purchace estoit par certaines persones en especial al denominacion & ordinaunce les ditz prudes-homes, et priuement sans assent de la Commonalte et nient conisant de tiel purchace tanqe as tarde qils auaient un mair illocqes, le quele article ausi est defectif pur ceo que les Bailiffs par assent de xxiiij concitezeins ou de la greindre partie de les xxiiij seulement et nient fesant mencion de lassent la dite Commonaltee come il deuerait estre fait de droit et reson dussent mettre remedie de les usages come dessus est dit. Et auxi la dite article est defectif pur ceo qe les xxiiij nont mye iouit poer et par lassent del Commonaltee¹ come ont les M et Aldermannes de la citee de Londres come en un article de libertee en semblable caas a eux grauntez pleynement appiert dount la forme cy ensuye,² Concessimus insuper pro nobis & heredibus nostris & hac carta nostra confirmauimus maiori & aldermannis Ciuitatis predictae quod si fortasse alique consuetudines in dicta ciuitate hactenus optente & usitate

expedient. Provided that these ordinances are useful to us and our people and consonant to good faith and reason as is aforesaid." The which liberty was procured by certain persons in especial at the naming and ordering of the said prudeshommes and privily without assent of the commonalty and [they being] nothing cognizant of such procurement until of late that they had a Mayor there. Which article is also defective for that the Bailiffs by assent of the 24 concitizens or of the greater part of the 24 only and making no mention of the assent of the said Commonalty, as ought to have been made by right and reason, should set a remedy of the usages as is above said. And also the said article is defective for that the 24 have never enjoyed power and [? even] by the assent of the Commonalty as have the Mayor and Aldermen of the city of London as in an article of liberty in like case to them granted fully appears, of which the form here follows,—“We have granted further for ourselves and our heirs and by this our charter have confirmed to the Mayor and Aldermen of the aforesaid city that if perchance any customs in the said city heretofore held and used be in

¹ The assertion of the Complainants is that the twenty-four never had this power, whether with or without assent of the Commonalty. The Mayor and Aldermen of London have enjoyed it but with assent, &c.

² By Charter 4th December, 1377 (Birch, *Charters of City of London*, p. 70).

in aliqua sui parte difficiles siue defectiue fuerint, sic quod propter aliqua in eadem ciuitate de nouo emergencia ubi remedium prius clare non extitit ordinatum emendacione indigeant, iidem Maior et Aldermanni eorum heredes et successores de assensu Communitatis eiusdem Ciuitatis remedium congruum bone fidei et consonum rationi pro communi utilitate ciuium ciuitatis predictæ & aliorum fidelium nostrorum ad eandem confluencium apponere possint & ordinare quatenus & quando eis videbitur expedire. Dumtamen ordinaciones huiusmodi nobis & populo nostro utiles et bone fidei ac consone fuerint rationi ut predictum est. Sur quoy les citizeins et la communaltee de la Cittee de Norwicz nadgairs de leur commune consent tretauntz par certains personnes deux mesmes aices eslus sur diuersez matieres ils accederent sur la dite article une autre fourme & auxi sur autres diuersez articles come en un escript¹ sur le dit trete fait et engrose desoutz le commune seal & le seal de mairaltee de la citee pleynement est compris. Pur quoy la dite greindre partie des citizeins et comunaltees supplient come dessus a vous nostre seignor et iuge susdit qe tous les articles en le dit escript compris seroient garde3 et obserue3 selonc le purport effect et entent dycelles.

any part of themselves difficult or defective so that, on account of any things in the said city newly arising where a remedy before has not been clearly ordained, they need amendment the said Mayor and Aldermen, their heirs and successors, with assent of the Commonalty of the said city may apply and ordain a remedy agreeable to good faith and consonant to reason for the common utility of the citizens of the said city and of other our faithful [liegés] resorting to the same, as often as and when it shall seem to them to be expedient. Provided that such ordinances be useful to us and our people and of good faith and consonant to reason as is aforesaid." Whereupon the citizens and the commonalty of the city of Norwich lately of their common consent treating by certain persons of themselves to that end elected upon divers matters, they added on the said article another form and so on other articles as in a writing on the said treaty made and engrossed under the common seal and the seal of the Mayoralty of the city is fully contained. Whereupon the said greater part of the citizens and commonalty make supplication as above to you our aforesaid lord and judge that all the articles in the said writing contained may be kept and observed according to the purport effect and intent thereof.

¹ Perhaps the Ordinance passed and sealed on 9th February, 1414. Introduction V. 5. *Extracts from Assemblies*, No. cxiii.

3. Item la dite greyndre partie des Citizeins et la Comunalte suisdite soy pleint qe par lou dauncien temps il y auoi en la dite Cite Bailifs tanqe al Ann quinte le pere nostre seignor le Roy qore est qil par sa chartre¹ graunta as dit3 citizeins et Comunalte qeles duissent eslire en mesme la Cite un Mair et deux Viscount3, la les dit3 prudeshomes appelez le gent destate de mesme la Cite ount desturbez la dite greindre partie des citizeins et Comunalte de lour eleccion de tiel mair en cest fourme Cestassauoir lou la Comunalte lan le dit nadgairs Roy vij^{me} auoient esluz en lour mair un William Appulyerde les dit3 prudeshomes entour le temps de trois sемаigne3 deuaunt le fyn de mesme lan² oue fort mayn et encontre la volonte de la dit Comunalte deposerent le dit William de son office de mairalte & pristeront de luy lespee de son office, et ausi par lou mesme la Comunalte deuant le fyn du dit an vij^{me} auoient esluz le dit William pur estre mair illeocqes pur lan ensuiant les dit3 prudeshomes refusant3 celle eleccion de lour autorite demesne et encontre la force et leffect del chartre suisdit firent un Wauter Danyel mair de mesme la cite deuant

3. Also the said greater part of the citizens and commonalty aforesaid complain that whereas of ancient time there have been Bailiffs in the said City until in the 5th year of the father of our lord the King that now is he by his charter granted to the said citizens and Commonalty that they might choose in the said City a Mayor and 2 Sheriffs, yet the said prudeshommes who are called the people of estate of the said City have disturbed the said greater part of the citizens and Commonalty of their election of such Mayor in this form, that is to say, whereas the Commonalty in the 7th year of the said late King had chosen for their Mayor one William Appelyerd the said prudeshommes about the time of 3 weeks before the end of the said year with strong hand and against the will of the said Commonalty deposed the said William from his office of Mayoralty and took from him the sword of his office, and also whereas the said Commonalty before the end of the said 7th year had chosen the said William to be Mayor there for the year ensuing, the said prudeshommes, refusing that election, of their own authority and contrary to the force and effect of the charter aforesaid made one Walter Danyel Mayor of the

¹ 28th January, 1404.

² Henry's 7th regnal year ended on 29th September, 1406, the very day when a new Mayoral year at that time began. Probably the "prudeshommes" had elected a new Mayor and Sheriffs on the Nativity of the Virgin Mary, 8th September. See Introduction V. 4.

le fyn de dit an vij^{me} et saunz dhue eleccion faite en ceste partie et mesme lestat luy ffront continuer tout lan viij^{me} proschein ensuant & outre ceo chacun an apres le dit an viij tanqe en ceo la dite greindre partie des citezeins et comunalte en lour eleccion dez mair et viscountz del dite cite par les ditz prudeshomes et par maintenance dun congregation de certain poeple deins mesme la cite dez citezeins et comunalte appelez la bachelery¹ queux sount iurez et entrealiez par lour serement as ditz prudeshomes de steer ensemble en toutz leurs quereles, par cause de quex serements et entrealiauntz la dite greindre partie des citezeins et comunalte en ceste partie continuelment ount estez destourbez qils ne pouroient lour eleccion franchement faire et parfourmer dount graunde mischief ad este et uncors est verroisiblement auenir.

4. Item lou en la dite Cite il ad este use qe chacun an par poi deuant le fest de Saint Michell deux citezeins de mesme la Cite ount este esluz pour estre Tresorers de toutz rents profits et comodites illoeqes al commune use del comunalte dicelle prouenauntz les quex tresorers ount usez annuelement dentrer lour office en le feste de Saint Michell, et qe lez tresorers de lan

said city before the end of the said 7th year and without due election made on that behalf and they continued the said estate to him the whole 8th year next ensuing and besides this each year after the said 8th year until thereby the said greater part of the citizens and commonalty in their election of the mayor and sheriffs of the said city by the said prudeshommes and by the maintenance of an assembly of certain people within the said city, of the citizens and commonalty, called la bachelery who are sworn and inter-allied by their oath to the said prudeshommes to stand together in all their quarrels, by reason of which oaths and inter-alliances the said greater part of the citizens and commonalty in that behalf have been continually disturbed so that they could not make and perform their election freely, whereby great mischief has been and still is likely to come.

4. Also whereas in the said city it has been used that every year a little before the feast of S^t Michael 2 citizens of the said city have been chosen to be Treasurers of all rents profits and easements there issuing to the common use of the commonalty thereof, which treasurers have used annually to enter their office on the feast of S^t Michael, and

¹ Introduction V. 10.

precedent apres lour discharge de tiel office ount use de coiller & resceuer les fermes rentes et autres comoditez deins mesme la cite sourdantz et dhuez au dite comunalte a le feste de Saint Michell saunz porter aucun charge entour la commune profit de mesme la cite des fermes rentes et comoditez auaunditz apres mesme le feste de Saint Michell, par lou deins mesme la cite deuant hoeres feussent esluz deux chamberleyns par lavys et lassent de toutz les citezeins et comunalte de mesme la cite al entent pour resceuer et garder toutz les deniers des dettes et duites qeconques remaignantz es mains des deux tresorers sour dhues accomptz par eux faitz a lour departirs de lour office issint que lez ditz citezeins et comunalte quant busoigne seroit pour la commune profit et honour de la cite pourroient auer certains recouses as ditz chamberleyns pour resceuer deux qeconque some remaigndra en lour mains pour despendre come il mielx semblera as ditz citezeins et comunalte a faire pour lonor et commune profit de mesme la cite, et mesmes les chamberleyns eient surveu del office et gouernance de les tresorers al entent qe lez tresorers ne facent aucune edifiment ne paiement sanz surveu consent et assent de lez chaumberleins pour le commune profit et outre ceo tielx tresorers de long temps

that the treasurers of the year preceding after their discharge of such office have used to collect and receive the farms rents and other easements arising within the said city and due to the said commonalty at the feast of St^e Michael without bearing any charge about the common profit of the said city of the farms rents and easements aforesaid after the said feast of St^e Michael, whereas in the said city before now should be chosen 2 chamberlains by the advice and assent of all the citizens and commonalty of the said city to the intent to receive and keep all the moneys of the debts and dues whatsoever remaining in the hands of the 2 treasurers upon due accounts by them made at their departure from their office, so that the said citizens and commonalty when need shall be for the common profit and honour of the city might have certain recourse to the said chamberlains to receive of them whatever sum shall remain in their hands to spend as it shall seem best for the said citizens and commonalty to do for the honour and common profit of the said city, and the said chamberlains might have supervision of the office and governance of the treasurers, to the intent that the treasurers might not make any building nor payment without supervision consent and assent of the chamberlains for the common profit, and furthermore such treasurers

passee nount use de faire aucun accompt au dite comunalte de lour resceitz ni de riens remaignauntz en lour mains issint qe la commune tresor par mesme le temps ad este et unqore est remaignaunt as mains de diuerse gentz iadys occupyones du dit office de tresorer et dautres sanz auailer ou profiter au dite Citee quel tresor si ele fuisse mys en bone et certain gouernance des ditz chamberleyns pourroit graundement vailler et easer mesme la comunalte saunz qe ascun charge par eux seroit porte pur la dite cite le quel mesgouernance les ditz prodeshomes sount neccligentz de correcter et amender dount la greindre partie de la comunalte soi sente greue malement.

5. Item lou en la dite Cite dauncien temps estoit un grande edification fait par la comunalte du dite Cite qest appelle le Worsted Seld¹ et pur mesme le temps ad este use illoeqs qe null foreyns dust apporter ne vendre aucun drap de Worsted de quele nature ou assise [] seroit deinz le franchise del dite Cite forsque soulement en la dite Seld tanqe ore tarde qe la dit marche est destruyt a cause qe lez ditz prodeshomes et dit people del compaignie del bachelery ount use et unqore usount

for long time passed have not used to make any account to the said commonalty of their receipts nor of anything remaining in their hands so that the common treasure for the said time has been and still is remaining in the hands of divers people formerly occupants of the said office of treasurer and of others without availing or profiting the said city. Which treasure if it were put in good and certain governance of the said chamberlains might greatly avail and ease the said commonalty without any charge being borne by them for the said city. Which misgovernance the said prudeshommes are negligent to correct and amend whereby the greater part of the commonalty feels itself sorely aggrieved.

5. And whereas in the said city of ancient time there was made a great building by the commonalty of the said city which is called the Worsted Seld and for the same time it has been used there that no foreigner might bring nor sell any cloth of Worstead of what nature or assize [soever] it should be within the franchise of the said city except only in the said Seld until now of late that the market is destroyed by reason that the said prudeshommes and the said people of the company of the bachelery have used and still use to buy cloth in their

¹ Opposite to the north side or the Guildhall and occupying part of Dove Street.

dacheter tiel drap en lour measons propres & aillours ou lour pleast sanz faire la dite achate en le selde auantdit solont lusage suisdit parount tielx vendours lessent de venir oue lour draps au dit Selde & fount lour vende aillours ou lour pleast ausibien privement come ouvertement issint qe lou la dite Comunalte soloient annuelement prendre pur louaunce des measons du dite selde entour la some de xx*li*. par an de gentz illocque vendantz draps de Worsted a present et long temps passe tout la profit de mesmes les measons ne passent la value de xxs. par an parount la commune tresor de mesme la Cite est grandement empeirez dount &c.

6. Item parlou le dit nadgairs Roy Henry par sa chartre graunta a lez citezeins et comunalte suisditz un article en la fourme qensuit quod predicti maior & successores sui maiores eiusdem ciuitatis habeant plenam potestatem et iurisdictionem audiendi corrigendi reformandi et terminandi coram se ipsis en le Gildhalle predicta ad sectam cuiuslibet omnes defectus oppressiones extorsiones mesprisiones ignorancias negligencias et iniurias que per dictos Vicecomites et eorum successores Vicecomites dicti Comitatus Norwici fieri seu perpetrari contigerit et inde parti se sentienti grauata dampna iuxta quantitatem

own houses and elsewhere where it pleases them without making the said purchase in the aforesaid Seld according to the usage aforesaid, whereby such vendors leave off coming with their cloths to the said Seld and make their sale elsewhere where it pleases them as well privily as openly, so that whereas the commonalty were wont annually to take by letting of the houses of the said Seld about the sum of £20 a year of people who sold there their cloths of Worsted, now and a long time past all the profits of the said houses do not pass the value of 20s. a year, whereby the common treasure of the said city is greatly empaired, whereby &c.

6. Also whereas the late King Henry by his charter granted to the citizens and commonalty aforesaid an article in the form which follows: "That the aforesaid mayor and his successors mayors of the said city should have power and jurisdiction of hearing, correcting reforming and determining before themselves in the Gildhalle aforesaid at the suit of anyone all defaults oppressions extortions misprisions ignorances negligences and injuries which by the said Sheriffs and their successors Sheriffs of the said County of Norwich should chance to be done or perpetrated, and thereupon of deciding and ordaining to the

delicti considerandi et ordinandi. Sur quēle graunt du dit article et de plusiours autres libertes et fraunchises ordinances et usages hevez en la dite cite un Recordour estoit eslieu el temps le premier mair illocques pour le gouvernance de les matieres qal office du mair agardent selon ceo qe reson et loy demandent Et lez viscountz au dit temps retinerent deuers eux un sufficient persone pour la gouvernance de lour courtes et deins brief temps apres par gouvernance de certains persones en especial et maintenance des ditz prodeshomes le recordour gouverna et unqore fait loffice de mair de ceo qe touche la loy et en mesme la maniere il gouverne la court des viscountz a graunde preiudice de commune poeple qar quant aucun fait compleint al mair pour aucun iniurie luy fait par lez viscountz le compleignant passe sanz remedie pur ceo qe le Recordour ne voet riens remedier deuant le mair encontre son iugement demesne ou autre iniurie ou greuance a tort faitz en la court des viscountz dont la dite comunalte soi sent malement greue.

7. Item par lou loffice du mair est de nouelle fait & ordeigne deins la dite Cite et le Roi ne duist officer faire touchant mesme loffice la le mair ore eslieu encontre le

party feeling himself aggrieved damages according to the size of the offence," upon which grant of the said article and of several other liberties and franchises ordinances and usages had in the said city a Recorder was elected in the time of the first Mayor there for the governance of the matters which pertain to the office of mayor according to that which reason and law demand, and the Sheriffs at the same time retained with them a sufficient person for the governance of their courts, yet within a short time after by governance of certain persons in especial and maintenance of the said prudeshommes the Recorder governed and still does the duty of Mayor in that which touches the law, and in the same manner he governs the court of the sheriffs to the great prejudice of the common people, for when anyone makes complaint to the mayor for any injury done him by the sheriffs the complaint passes without remedy, for that the Recorder will remedy nothing before the mayor against his own judgment or other injury or grievance wrongly done in the court of the sheriffs whereby the said commonalty feels itself sorely aggrieved.

7. Also whereas the office of Mayor is newly made and ordained in the said city and the King ought not to make an officer touching the said office, nevertheless the Mayor now chosen against the next

proschein an par maintenance des dit3 prodeshomes est en propos et volonte pur resceuer un home a porter lespee du dit mair par vertu dun patent le dit nadgairs Roy Henry parount le3 citezeins et comunalte du dite Cite sount en point destre mys a graundre damage encontre commune droite quele chose de reason ne duist estre suffre Et ausi le Clerk et le3 deux Sergaunt3 par commune assent de la Citee et ordinance ent fait duissent estre esluez par la comunalte a la commune assemble et sanz la commune assemble ils ne duissent estre remuez Et ceo pour euident et notable default enuers le mair ou enuers la comunalte de quele eleccion doffice la dite greindre partie est destourbe encontre droit par le3 dit3 prodehomes et par le bachelerye Dount mesme le greindre partie soi sente malement greue.

XL. The Answer of the Sheriffs and Twenty-four Prudhommes to the Complaints of the Commons. (*Case 8, Shelf c.*)

1. Ceux sount les respouns de les Viscountes et xxiiij prodeshommes del Citee de Norwich dauncien temps ordeigne3 pour la bon gouernance dicell et dautres sibien ceux qount porte lestat¹ de mair viscountes et Bailiffs de dite citee come dautres

year by maintenance of the said prudeshommes is in purpose and will to receive a man to carry the sword of the said Mayor by virtue of a patent of the said late King Henry, whereby the citizens and commonalty of the said city are in point to be put to great damage against the common right, which thing of reason ought not to be suffered. And also the Clerk and the 2 Sergeants by common assent of the city and ordinances made thereon ought to be chosen by the Commonalty at the common assembly and without the common assembly they ought not to be removed, and this for evident and notable default towards the Mayor or towards the commonalty. Of which election of officer the said greater part is disturbed contrary to right by the said prudeshommes and by the bachelery. Whereof the said greater part feels itself sorely aggrieved.

1. These are the answers of the Sheriffs and 24 prudeshommes of the City of Norwich of old time ordained for the good governance thereof and of others, as well those who have borne the estate of

¹ This may explain the expression "Men of Estate" used by the Complainants.

sufficiantz persones del Comunaltee dicell citee touchantz les articles de compleintes de certaines rioteuses persones del Comunaltee de Citee auandit enuers les dits Viscountes xxiiij et autres sufficiantz persones suisditz faitz et a le treshonourable seignour Sieur Thomas Erpyngham seneschal de hostiel nostre souveraigne seignour le Roy baillez oue tiel protestacion qe lez ditz ore respoignantz puissent a mesmes loures respounces adder et dicell amenuser choses et matieres a eux besoignables en ycest partie parissint qils ne soient tout ouurement combles par voye de respounce par les articles desoubz escritz ou dascun deux par cause de surplusage ou noun sufficiance contenus en ycell.

2. Responsio primi articuli.

En primes quant a la prime article des ditz compleignantz par laquel ils demandent qe toutz articles libertes et fraunchises par les progenitours nostre seignour le Roy qore est grauntez et confirmez a les citezeins ou a la Communalte en dit citee soient effectuellement tenuez et gardez et observez en toutz pointz selonc lez purport et effect dicelles forspris un article as citezeins en dite citee par le Roy Richard nadgairs Roy dengleterre grauntez cest assaouir qe les Bailiffs du dite citee pur le temps esteantz de

Mayor Sheriffs and Bailiffs of the said city as of other sufficient persons of the Commonalty of the said city, touching the articles of complaints of certain riotous persons of the Commonalty of the aforesaid city against the said Sheriffs 24 and other sufficient persons abovesaid made and delivered to the right honourable lord Sir Thomas Erpingham Steward of the Household of our sovereign lord the King, with such protestation that the said respondents might to their said answers add and from them subtract things and matters to them needful in that part, so that they might not be entirely cumbered in the way of response by the underwritten articles or any of them by reason of surplusage or non-sufficiency therein contained.

2. Reply to the first article.

In primis as to the first article of the said complainants by which they demand that all the articles liberties and franchises by the progenitors of our lord the King that now is granted and confirmed to the citizens or to the commonalty in the said city be effectually held and guarded and observed in all points according to the purport and effect thereof, except an article granted to the citizens in the said city by the King Richard late King of England, that is to say, that the Bailiffs of the said city for the time being, with the assent of 24

lassent de xxiiij de lours concitezeins eslu3 pour la bon gouernance du dite citee ou de la greindre partie dicell eussent auctorite et poair sufficiant dordeigner couenable remede accordant a bon foy et reason sibien pour la commune profit des citezeins auanditz come autres foialx leges du dit nadgairs Roy a mesme la citee repairantz sicome en la dite article qe comence Preterea concessimus prefatis ciuibis nostris &c. est contenu3 plus au pleyn la quele article a ceo qe les dit3 compleignant3 pretendent fuist purchase par certains persones en especiall al denomination et ordeignances des dit3 ore respoignant3 & priuement sanz assent et conusance de la comunalte en dite citee ;

A ceo diount les dit3 ore respoignant3 qe la ou deuant la purchase de mesme larticle les dit3 Bailiffs et xxiiij nauoient mie auctorite ne poair pour ordeigner ou faire ascun remedye pour ascuns sodeigne3 causes besoignables sibien pour la bon gouernance dicell citee come pur conseruacion dez honeste et honour de mesme la citee touchant la sodeigne venue des graundes de Roialme a ycell citee par diuerses foitz repairantz sinoun qe les dit3 Bailiffs [et] xxiiij y furent tout3 presentes parount plusiours meschiefs & esclaundres souent auenoient en dite citee pour defect du hastif remede a ceo par cause del absence ascun soit3 dun deux ou

of their concitizens chosen for the good governance of the said city or of the greater part of them, should have authority and power sufficient to ordain convenient remedy accordant to good faith and reason as well for the common profit of the aforesaid citizens as of other faithful lieges of the said late King repairing to the said city, as in the article which commences "Moreover we have granted to our aforesaid citizens" is more fully contained, the which article as the said complainants assert was procured by certain persons in especial at the naming and ordinance of the said present respondents and privately without assent and knowledge of the commonalty in the said city ;

To this the said respondents say that whereas before the procuring of the said article the said Bailiffs and 24 had not any authority nor power to ordain or make any remedy for any sudden causes of necessity, as well for the good governance of the said city as for the preservation of the glory and honour of the said city touching the sudden coming of the grandees of the Realm, to the said city at divers times repairing, unless the said Bailiffs [and] 24 were all there present, whereby many mischiefs and slanders often happened to the said city by default of speedy remedy thereto by reason of the absence of some, be it one or

trois des ditz xxiiij noun obstaunt qe le remaignant dicelles xxiiij y furent presentz et de bon volonte et desir de fair lours deuoirs pour la bon gouernance profit et honour de mesme la citee Sur quoy les plus sufficientz persones destate de dite Citee a celle temps cestassauoir Bartholomewe Appilzerd¹ et autres de lassent des Baillifs & xxiiij auantditz et de la substance de la comunalte de dite Citee veiantz les meschiefs et disclaundres ensy auenuz et semblablez dilors aueniers a dite Citee par la cause suisdite enuoieront Henry Lomynour et Walter Bixton alors lours concitezeins pour suer a dit nadgairs Roy pour auoir confirmacion de lour chartre de fraunchises a eux pardeuant grauntez et pour auoir de nouel graunt la suisdite article; a lentent qe les dit Baillifs de lassent des ditz xxiiij ou de la greindre partie des ditz xxiiij nient attendantz la presence des autres absentz aueroient pour dordeigner couenable remedye en toutz cases busoignables pour profit et honour du dite Citee & escheuer des meschiefs & esclaundres desuisditz, la quele article en cest partie ensemblement ouesque toutz autres fraunchises et libertees a dite Citee deuant celle temps grauntees ouesque les bones custumes et usages en la dite citee pardeuant du temps de memoire resonablement eues

two or three, of the said 24 notwithstanding that the remainder of the said 24 were there present and of good will and desire to do their duty for the good governance profit and honour of the same city. Whereupon the more sufficient persons of estate of the said city at that time that is to say Bartholomew Appilyerd and others with the assent of the Bailiffs and 24 aforesaid and of the substance of the Commonalty of the said city seeing the mischiefs and slanders thus happening and likely thenceforward to happen to the said city for the aforesaid cause sent Henry Lomynour and Walter Bixton then their concitizens to sue to the said late King to have confirmation of their charter of franchises to them before granted and to have as a new grant the aforesaid article, to the intent that the said Bailiffs with the assent of the said 24 or of the greater part of the said 24, not awaiting the presence of the others absent, might have power to ordain convenient remedy in all cases of necessity for the profit and honour of the said city and to escape the mischiefs and slanders aforesaid, which article in that part, together with all other franchises and liberties to the said city before this time granted, with the good customs and usages in the said city before the time of memory reasonably had and used, the said present

¹ On this matter see Introd. IV. 14. *Assembly Extracts*, No. clxxxiv.

et uses les ditz ore respoignantz a vous suppliunt qils estoient en lourez foye et vertue. Suppliantz outre a vostre tresage discrecion qe la ou le tresnoble Roy piere nostre souveraigne seignour le Roy qore est par vostre tresgraciouslye mediacion de bon purpos pour la greindre bien et profit du dite Citee par sa chartre graunta as citezeins et comunalte^e du dite citee qils eussent dislors en noun [? lieu] de les quatre Bayliffs un mair et deux viscountz et ouesques diuerses autres priuileges libertees et fraunchises en ycell chartre contenuz, a cause de quel parole—la comunalte^e¹—lez ditz ore compleignantz pretendent chescun persone de le plus meindre reputation de dite Citee dauoir a taunt dauctorite et poair en toutz les eleccions et autres affaires deins mesmes la Citee come auount les plus sufficiantz persones dicell Citee en tresgraunds trouble et murmure dentre les parties auanditz & en final subuersion et eneration des toutz les bones custumes et usages illocques eues et uses auant cez heures. Que please a vostre treshonourable seignourie par consideration des mischiefs suisditz de mettre vostre tresgraciouslye aide et socour qe la dit chartre de dit tresnoble Roy Henry en cell partie soit correcte et amende et cell parole—la

respondents beseech you that they stand in their good faith and power. Further beseeching your most wise discretion that whereas the most noble King, father of our sovereign lord the King that now is, by your most gracious mediation, of good purpose for the greater well being and profit of the said city by his charter granted to the "citizens and commonalty" of the said city that they should have thenceforth in the place of the 4 Bailiffs a Mayor and 2 Sheriffs and with divers other privileges liberties and franchises in that charter contained, by reason of which word "the commonalty" the said present complainants allege that every person of the smallest reputation in the said city should have as much authority and power in all the elections and other affairs within the same city as have the more sufficient persons of the said city, to very great trouble and murmuring between the parties aforesaid and to the final subversion and weakening of all the good customs and usages hitherto had and used before this time. May it please your most honourable lordship by consideration of the above mentioned mischiefs to give your most gracious aid and succour that the said charter of the said most noble King Henry in that part be corrected

¹ Henry IV.'s Charter was granted to the "Citizens and Commonalty."

Comunaltee—tout outrement ouste dicell chartre ou outrement solont vostre tresgraciously advys par voie de vostre decree et agard en celle partie affaire en resonable forme pour la bon gouvernance du dit Citee en temps auenir modere et amende.

3. Et quant a ycell point en le suisdit prime article des ditz ore compleinantz par la quele ils suppoient la dit article grauntee a dit Citee par le dit nadgairs Roy Richard estre defectyf et ceo par cause qil nest mye accordant a un semblable article graunte as Mair & Aldermans de Loundres a ceo qe les ditz ore compleinantz pretendent ;

A ceo diount les ditz ore respoignantz par protestacion qils ne conusent mye null tiel graunte estre fait al dite Citee de Loundres come ils ount declare qe si ensy seroit qe nient coudre esteaunt la usage du dit Citee de Norwyche et auxint diuerses confirmacions dez diuerses Roys dengleterre progenitours nostre dit seignour le Roy qorest cest article en especial solonc le desir et volonte des ditz ore compleignantz chaungee et demesne—solonc un tiel article—a ceo qil dount a dite Citee de Loundres en semblable cas grauntee—par autiel reson ensuerait qe toutz autres articles des libertees franchises et priuileges a

and amended and that word "the commonalty" be utterly removed from the said charter or otherwise according to your most gracious advice, by way of your decree and award in that part, to cause it in reasonable form to be moderated and amended for the good governance of the said City in time to come.

3. And as to that point in the above first article of the said present complainants by which they allege that the said article granted to the said city by the said late King Richard is defective and that because it is in no wise accordant with a similar article granted to the Mayor and Aldermen of London according as the said present complainants allege ;

To that the said present respondents say by protestation that they do not at all know any such grant to have been made to the said City of London as they have declared but if it should so be that, notwithstanding the usage of the said city of Norwich and also divers confirmacions of the divers Kings of England progenitors of our said lord the King that now is, this article in especial should according to the desire and will of the said present complainants be changed and ordered "according to such an article" "according to what he [has] thereon granted to the City of London in like case," by such reason it

dite citee de Norwych par les dit3 progenitours nostre seignour le Roy grauntees et auxint tout3 les bons custumes et usages en ycelle citee de Norwyche de temps dount memoire ne court euez et uses sils ne furent en tout accordant3 a les libertees fraunchises et priuileges a dit citee de Loundres par les suisdit3 progenitours nostre dit seignour le Roy graunte3 et les usages et custumes en ycell Citee Loundres auant cez heures uses seroient tout outrement repelles reuokes et destruit3.

4 Et quant a darrein point en le suisdit prime article des dit3 ore compleynant3 supposant3 la dite article du dit nadgairs Roy Richard a dite Citee de Norwych grauntée ensemblement ouesqe diuerses autres articles dez fraunchises et libertees dicell Citee estre diffait3 par un treitez & accorde fait parentre les Citezeins et Comunaltee du dit Citee de Norwych enseale oue leur commune seal;

A ceo diount les dit3 ore respoignant3 qils ne sauent nul tiel accord ne establissement et si ascun forme de ascun tiel accord et establissement a vous soit monstre, ceo fuist fait par les dit3 ore compleynant3 de leur propre auctorite saun3 assent et voluntee des dit3 ore respoignant3, si come mesmes les ore respoignant3

would follow that all other articles of the liberties franchises and privileges granted to the said city of Norwich by the said progenitors of our lord the King and also all the good customs and usages in the said city of Norwich from the time whereof memory runneth not had and used, if they were not altogether accordant to the liberties franchises and privileges granted to the said City of London by the aforesaid progenitors of our said lord the King and to the usages and customs before this time used in the said City of London, should be utterly repealed revoked and destroyed.

4. And as to the last point in the aforesaid first article of the said present complainants supposing that the said article of the said late King Richard granted to the said City of Norwich together with divers other articles of the franchises and liberties of the said City is done away with by a treaty and accord made between the Citizens and Commonalty of the said City of Norwich sealed with their common seal;

To this say the said present respondents that they know no such accord nor establishment and if any form of any such accord and establishment has been shewn to you, that was made by the said present complainants of their own authority without assent and will of the said present respondents, as the said present respondents are ready

sount prestez a monstren a vostre treshonoure seignourie par sufficiant tesmoignance desoubz les sealx de le greindre partie des sufficiantz persones de dit Citee de Norwyche. Considerantz treshonoure seignour qe les ditz ore compleignantz ount euez par long temps la garde et la gouernance del commune seal du dite Citee par loures graundes force et menace come en le tierce et quarte articlez des compleintz des ditz ore respoignantz enuers les auanditz ore compleignantz entre autre choses est contenuz pluis au pleyn.

5. Responso secundi articuli.

Et quaunt a la prymer poynt del seconde article des ditz ore compleignantz par la quele ils ount declarez qe le suisdit tresnoble Roy Henry graunta as ditz citezeins et comunaltez qils duissent eslire en la dite citee de Norwicz un Mair et deux viscountes et sur ceo ount pretendez qe la ou la dite Comunaltez lan vij^{me} de dit nadgairs Róy Henry auoient esluz en lour mair un William Appilzerd et qe lez ditz ore respoignantz entour le temps de trois semaignes deuant le fyn de dit an vij^{me} oue fort main et encountre la volunte de dite Comunaltez deposerent le dit William de son mairalte et pristeront de luy lespee de son office, et auxint par la ou la Comunaltez deuant la fyn de dit an vij^{me} auoient esluz

to shew to your right honourable lordship by sufficient witness under the seals of the greater part of the substantial persons of the said City of Norwich. Considering, right honourable Sir, that the said present complainants have had for long time the guard and governance of the common seal of the said City by their great force and menace, as in the 3rd and 4th articles of the complaints of the said present respondents towards the aforesaid present complainants among other things is more fully contained.

5. Reply to the second article.

And as to the first point of the second article of the said present complainants by which they have declared that the said most noble King Henry granted to the said citizens and commonalty that they should choose in the said city of Norwich a Mayor and 2 Sheriffs, and upon that have asserted that whereas the said Commonalty in the 7th year of the said late King Henry had chosen for their Mayor one William Appilyerd and the said present respondents about the time of 3 weeks before the end of the said 7th year with strong hand and against the will of the said Commonalty deposed the said William from his Mayoralty and took from him the sword of his office, and also whereas the Commonalty before the end of the said 7th year had

le dit William pur estre mair illocques pur lan ensuant qe lez dit3 ore respoignant3 refusant3 celle eleccion de leur auctorite demesne & encountre la force et effect del chartre suisdite firent un Wauter Danyell mair de mesme la Citee deuant la fyn de dit an vij^{me} saun3 due eleccion fait en cest partie et mesme lestat luy firent continuer par tout lan proschein ensuant ;

A ceo supplient les dit3 ore respoignant3 a vostre tresgracieuse seignourie par advys de no3 seignours lez Juges nostre souveraigne seignour le Roy a vous assignez de considerer coment les dit3 compleignant3 par lour suggestion en la dite prymer poynt del seconde article ount expressement declarez qe la eleccion de dit mair seroit par lez citezeins et comunalte de dite Citee et coment ils ount expressement conu par ycelle prymer poynt qe le dit William fuist eslu par la comunalte seulement en lour mair sibien al prymer eleccion come a la seconde¹ nient faisant3 les citezeins de dite citee a ceo en ascun manere pryuez, par

chosen the said William to be Mayor there for the year ensuing, that the said present respondents refusing that election of their own authority and contrary to the force and effect of the aforesaid charter made one Walter Danyell Mayor of the said City before the end of the said 7th year without due election made in that part and continued the same estate to him through the whole year next ensuing ;

To this the said present respondents beseech your most gracious lordship by the advice of our lords the Judges of our sovereign lord the King assigned to you to consider how the said complainants by their suggestion in the said first point of the second article have expressly declared that the election of the said Mayor should be by the citizens and commonalty of the said City and how they have expressly acknowledged by that first point that the said William was chosen by the Commonalty only for their Mayor as well at the first election as at the second, the citizens of the said city doing nothing thereat in any private manner, by which declaration it plainly appears that the said

¹ It is not clear what 2 elections are here referred to. The Complainants had said that they had chosen William Appleyard for Mayor during the 7th year of Henry's reign and at the end of the 7th year had chosen him for the ensuing year. The first of these elections would have been before Michaelmas 1405, and the second before Michaelmas 1406. He had previously served from 1 March 1404 to Michaelmas 1405 and must have been elected 3 times, in March 1404, Michaelmas 1404, and Michaelmas 1405, besides the disputed election in 1406. The next clause speaks of his sitting continuously for two years, *i.e.* from Michaelmas 1404 to Michaelmas 1406.

quele declaration ouertement apiert le dit William noun duement estre eslu3 a les deux foitz auantdit3 et les dit3 compleignant3 lour mesmes auoir dishable a qeconqe benefice enioyer par force de dite chartre a cause de lour meseus dicelle celle partie. Par ount les dit3 ore respoignant3 supplient a vostre treshonoure seignourie par avys de nos seignours le3 Juges suisdit3 destre bon mediatour pardeuers nostre seignour le Roy qe le3 dit3 compleignant3 iammes ne soient parties ne priuez a nulle gouernance deins la dite Citee par force del chartre auantdit3 et en outre considerer qe les dit3 ore respoignant3 par rien qe le3 dit3 compleignant3 ount allegge celle partie nount mye mestier a respoudre.

Et en outre pur vous pleynement enformer de la verite de ceste compleynt les dit3 ore respoignant3 a vous monstrent comont le dit William fuist deux foitz eslu3 par la manere desuis declare et estint en le dit office continuelment par deux ans la ou de temps dount memoire ne court deuant le alternacion des nouns et estates des Baillifs de dite Citee en le3 nouns des mair et viscountes dicelle Citee estoit use qe nulles persones Bailifs dicelle Citee estorroient en lours dit3 offices continuelment sinoun pour un an et qils ne seroient reeslu a mesmes3 les offices

William was not duly chosen at the two times aforesaid and that the said complainants themselves disabled him from enjoying any office by force of the said charter by reason of their misuse of it in this part. Wherefore the said present respondents beseech your right honourable lordship by advice of our lords the Judges aforesaid to be our good mediator towards our lord the King that the said complainants may never be parties nor privy to any governance within the said City by force of the aforesaid charter and further to consider that the said present respondents by nothing that the said complainants have alleged in this part have any occasion whatever to reply.

And moreover to inform you fully of the truth of this complaint the said present respondents show you how the said William was twice chosen in the manner above declared and remained in the said office continuously for 2 years whereas from time whereof memory runneth not before the alteration of the names and estates of the Bailiffs of the said city into the names of the Mayor and Sheriffs of the said City it was used that no persons Bailiffs of the said City should remain in their said offices continuously except for one year and that they should not be re-elected to the same offices during

durant la terme de quatre ans proscheins ensuantz et coment auxi le suisdit tresnoble Roy Henry par sa suisdite chartre graunta qe les ditz alternacion et mutacion ascuns des libertees fraunchises custumes et usages en la dite Citee pardeuant duement euez et usez en ascune manere ne seroint mye deniez restreintz ne abbregez, les ditz ore respoignantz vuillantz la eleccion de dit mair estre reformez solonc la dite auncienne forme de eleccion des ditz Baillifs et de la dite graunte de dit nadgairs Roy Henry celle partie eslieront duement solonc la dite auncienne forme le dit Wauter Danyell en lestat de mair de mesme la Citee, en affirmance de quel eleccion depar le dit William mesme celly William prist le dit Wauter par la main et luy amesna deuant toutz les prodezhommes de dite Citee en presence de la Commune de dite Citee en disant par cestez parols, veiez cy vostre mair pur lan proschein auenir, et sur ceo seieront ensemble sur le Bank, par force de quel eleccion et dun brief de Dedimus potestatem¹ directe al Archedeken de Norwich le dit Wauter fuist iurez & prist le charge de dit office bien par trois semaignes deuant le temps accustume² et ceo par cause qe les ditz ore compleignantz proposeront par diuerses voies dauoir desturbe et

the term of 4 years next ensuing, and how also the aforesaid most noble King Henry by his aforesaid charter graunted that [by] the said alteration and change none of the liberties franchises customs and usages in the said City theretofore duly had and used should in any manner be denied restrained or abridged, the said present respondents wishing the election of the said Mayor to be reformed according to the ancient form of election of the said Bailiffs and of the said grant of the said late King Henry in this part, chose duly according to the said ancient form the said Walter Danyell to the estate of Mayor of the said City, in affirmance of which election on the part of the said William, that same William took the said Walter by the hand and brought him before all the prudeshommes of the said City in presence of the Commonalty of the said City saying by these words, See here your Mayor for the year next to come, and upon that they sat together on the Bench, by force of which election and of a writ of Dedimus potestatem directed to the Archdeacon of Norwich the said Walter was sworn and took the charge of the said office fully 3 weeks before the accustomed time and that because the said present complainants proposed by divers

¹ A Writ conferring authority to act on behalf of the King.

² This shows that the first Mayors were chosen with the Sheriffs at Michaelmas.

defaite la dite eleccion ensy duement fait, apres quele charge ensy pris par le dit Wauter le dit William par son seruant appellez Cretyng enuoia a dit Wauter le suisdit espee de dit office saunz ceo qils deposeront le dit William ou son espee de luy pristeront en autre manere.

6. Et quant a ceo qe les ditz compleignantz par la dite seconde article pretendent eux estre destourbez de lour frank eleccion des Mairs et Viscountes de dite Citee par lez ditz respoignantz par la maintenance dun congregation de certain poeple deins mesme la Citee des Citezeins et Comunalte de dit Citee appelez la Bachelorie;

A ceo diount les ditz ore respoignantz qe la dite chartre de dit noble nadgairs Roy Henry par la quele lez ditz ore compleynantz claymont dauoir lour frank eleccion par colour de celle parole—la Comunalte—contenuz en la dite chartre entre autres choses deins mesme le chartre expressement est contenuz qe par la translacion alternacion et mutacion des estates et nouns des Bailles en lez estates et nouns de Mair et Viscountes dicelle Citee ascuns des fraunchises libertees custumes et usages deins la dite Citee dauncien temps eue3 et uses en ascune manere ne seroient restreintz amenusez nabbregge come desuis est dit, sur

ways to have disturbed and defeated the said election thus duly made, after which charge so taken by the said Walter the said William by his sergeant named Cretyng sent to the said Walter the aforesaid sword of the said office without their deposing the said William or taking his sword from him in another manner.

6. And as to what the said complainants by the said second article allege, that they have been disturbed of their free election of the Mayors and Sheriffs of the said City by the present respondents through the maintenance of an assembly of certain people in the said City, of Citizens and Commonalty of the said City called "The Bachelorie ;"

To this say the said present respondents that the said charter of the said late noble King Henry by which the said present complainants claim to have their free election under colour of that word "The Commonalty" contained in the said charter amongst other things in the same charter expressly is contained that by the translation alteration and mutation of the estates and names of the Bailiffs into the estates and names of Mayor and Sheriffs of the said City none of the franchises liberties customs and usages in the said City of ancient time had and used should in any manner be retained diminished nor

quoy les ditz ore respoignantz a lez eleccions des ditz Mair et Viscountz ount fait lour deuoir dauoir la eleccion des Mair et Viscountz de dite Citee estre fait solonc lancien forme del eleccion de les suisditz Bailifs dauncien temps usez come en la pryme article des compleyntz des ditz ore respoignantz enuers lez suisditz ore compleynantz pluys pleynement est contenuz, de quele purpos les ditz ore respoignantz ount este toutz ditz par lez ditz ore complenantz destourbez.

7. Responsio tertii articuli.

Et quant a la tierce article des ditz ore compleignantz par la quele ils pretendent le tresor de dite Citee et auxint les rentes et autres profites dicell estre noun duement rescuz gardeuz et dispenduuz saunz due accompte ent renduuz & ceo par negligence de correcion des ditz ore respoignants, A ceo suppliount mesmes les respoignantz a vostre gracieuse siegnourie qe vous please de veier et pleinement considerer la quinte de lours complaints touchant cest matier a vous baillez et sur ceo ordeigner tel voie qe chascun quad eu ascun gouernance de dit tresor auant ces heures soit duement charge dent respoudre pour son temps et ceo pour la commune profit de dite Citee.

abridged as is above said, whereupon the said present respondents at the elections of the Mayor and Sheriffs have done their duty to have the election of the Mayor and Sheriffs of the said City made according to the ancient form of the election of the aforesaid Bailiffs of ancient time used, as in the first article of the complaints of the said present respondents towards the said present complainants more fully is contained, of which purpose the said present respondents have always by the said present complainants been disturbed.

7. Reply to the third article.

And as to the third article of the said present complainants by which they allege that the treasure of the said City and also the rents and other profits thereof are not duly received [and] guarded, and spent without due account thereof rendered and that by negligence of correction on the part of the said present respondents. To that the same respondents beseech your gracious lordship that you would please to view and fully consider the fifth article of their complaints touching this matter delivered to you and upon that ordain such way that every one who has had any governance of the said Treasure before this time be duly charged to answer thereof for his time and that for the common profit of the said City.

8. Responsio quarti articuli.

Et quant a la quartre article des ditz compleignantz supposantz un graunt a dite Citee appartenant estre destruit par les ditz ore respoignantz et par la dite compagnie appelle la Bachelorie cest assauoir de draps de Worsted destre venduz en une commune maison de dite Citee appelle le Worstede Selde al tresgraunt anientisement del tresor de dite Citee sicome en mesme larticle est contenuz pluis au plein ;

A ceo diount les ditz ore respoignantz qe la profit de dite selde soude par tiel ordinance dauncien temps fait cestassauoir qe null Citegein de dite Citee achateroit ascun draps de Worstede apportez a dite Citee par les estraungez de paies sinoun en la dite Selde ou dehors mesme la Selde de ceux qe auoient lowez el dite Selde ascun chaumbre ou Ceste ou parcell de chaumbre ou ceste deins ycell Selde, et issint par la lower des chambres et Cestes deins la dite Selde tout la profit dicell Selde prouient le quel profit iatarde est moelt anientise et ceo par cause qe les gents destate de dite Citee et de la Bacherie de mesme la Citee quelx sount marchantz de tiel merchandise nount mye volunte dexercer ascun merchandise deins mesme la Citee mes la greindre partie de lux de iour en autre soy purposent de se retreher hors

8. Reply to the fourth article.

And as to the fourth article of the said complainants suggesting that a grant belonging to the said City has been destroyed by the said present respondents and by the said company called the "Bachelor," that is to say of Cloths of Worstead to be sold in a common house in the said City called the "Worstead Seld" to the very great ruining of the Treasure of the said City, as in the same article more fully is contained ;

To that say the present respondents that the profit of the said shed arises by such an ordinance of old time made, that is to say that no citizen of the said city should buy any Cloths of Worstead brought to the said City by strangers out of the country except in the said Seld or outside of the said Seld of those who have hired at the said Seld any Chamber or Chest or parcel of a Chamber or Chest in the said Seld and so by the hire of these chambers and chests in the said Seld all the profit of the said Seld issues, which profit now of late is much ruined and that because the people of estate of the said City and of the Bachery of the said City who are merchants of such merchandise have no will to exercise any merchandise in the same City but the greater part of them from one day to another purpose to themselves to

dicell a cause qils sount destourbez de leurs libertees priuileges et bones custumes en ycell citee dauncien temps usez par les dit3 ore compleignant3 parount les vendours dicell merchandise pour defaute dachatours dicell soy retrahent dicell Citee oue leurs dit3 Worsteds et les vendent aillours en diuerses lieux et marchees ou lour semble mieulx profitablez et ceo qe les dit3 ore respoignant3 ont achatez des autielx Worsteds ils les ont achates en la dite Selde & de ceux qount chaumbres ou cestes ou parcell de chaumbres ou cestes deins ycell Selde solonc le dit auncien ordinance & neinye autrement.

9. Responsio quinti articuli.

Et quant a la quinte article des dit3 ore compleignant3 pretendant3 le recordour de dite Citee dauoir la gouernance des materes touchant ley sibien loffice de Mairaltee come des Viscountes de dite Citee par maintenance de dit3 ore respoignant3 sicome en mesme larticle est contenuz pluis an plein ;

A ceo diount les dit3 ore respoignant3 qe par longe temps passe les dit3 ore compleignant3 par leurs confederacies congregations et entreliances ont destourbez les dit3 respoignant3 de la gouernance de dite Citee accrochant3 a eux mesmes la gouernance come mesmes les respoignant3 a vous ont declarez par les

withdraw themselves outside of it because they are disturbed of their liberties privileges and good customs in the said city of ancient time used by the said present complainants, whereby the sellers of that merchandise by default of buyers of the same withdraw themselves from the said City with their said Worsteds and sell them elsewhere in divers places and markets where it seems to them most profitable, and when the said present respondents have bought such Worsteds they have bought them in the said Seld and of those who have chambers or chests or parcels of chambers or chests in the said Seld according to the said ancient ordinance and not otherwise.

9. Reply to the fifth article.

And as to the fifth article of the said present complainants alleging that the Recorder of the said City has the governance of the matters touching the law as well of the office of Mayoralty as of the Sheriffs of the said City by maintenance of the said present respondents as in the same article more fully is contained ;

To that say the said present respondents that for a long time past the said present complainants by their confederacies assemblies and alliances have disturbed the said respondents from the gouernance of the said City usurping to themselves the gouernance as the same respondents

articles de lours compleintz a vous treshonoure seignour celle partie baillez, parount si ascun defaute ou mesgouernance touchant lexcercise des ditz offices soit come ditz compleignantz pretendent ceo est en lour defaute demesne & nemye en defaute des ditz ore respoignantz come ils ount allegge.

10. Responsio sexti articuli.

Et quant a la sisime article des ditz ore compleignantz par la quele ils pretendent qe le mair ore eslu pour lan prochain auenir par la maintenance des ditz ore respoignantz est en purpos de resceiuer un home de porter lespee de mair de dit Citee par vertu dun patent de dit tresnoble nadgairs Roy Henry encountre la libertee de dite Citee;

A ceo diount les ditz ore respoignantz qils ne sauont ascun tiel purpos de dit mair ore de nouell eslu¹ ne al suyt dascun tiel patent ou del rescoit dascun persone parforce dicell ils ne furent unques parties ne priuez.

Et quant a un autre point compris en la dite vij^{me} article de ceo qun Clerk et deux seriauntes par la Comunaltee a la commune

have declared to you by the articles of their complaints delivered to you, most honoured lord, on that behalf, wherefore if any default or misgovernance touching the exercise of the said offices exists as the said complainants allege, that is through their own default and by no means through the default of the said present respondents as they have alleged.

10. Reply to the sixth article.

And as to the sixth article of the said present complainants by which they allege that the Mayor now chosen for the year next to come by the maintenance of the said present respondents is purposing to receive a man to carry the Mayor's sword of the said City by virtue of a patent of the said late most noble King Henry contrary to the liberty of the said City;

To that say the said present respondents that they know no such purpose of the said Mayor now newly chosen nor were they ever parties or privy to the suing for any such patent or the receipt of any person by force thereof.

And as to another point comprised in the said sixth article to the effect that a Clerk and 2 Sergeants ought to be chosen for the Com-

¹ In accordance with the Ordinance passed in February, 1414, a new Mayor was elected on 1 May, 1414. As the appointment of a sword bearer would be either before or when he entered on his office on Trinity Tuesday (this year June 5th), the date of these Answers may be fixed about the latter part of May, 1414.

assemble de dite Citee deussent estre eslu3 les quelx officers issint eslu3 ne duissent estre remoevez sinoun par commune assemble et ceo pour evident et notoire defaute sur eux trouvez enuers le mair ou la Comunaltee ;

A ceo diount les dit3 ore respoignant3 qe touchant la eleccion des dit3 officers y ne fuist unques ascun tiel eleccion come les dit3 compleignant3 ount suppose mes de tout temps le Mair de dite Citee pour le temps esteant ad pri3 a luy autielx persones pour luy seruier es dit3 offices come luy semblast meulx sufficient3 et honestes sibien pour luy mesmes come pour la commune profit de Citee auantdit.

monalty at the Common Assembly of the said City, which officers so chosen should not be removed except by a Common Assembly and that for evident and notorious fault found upon them towards the Mayor and Commonalty ;

To that say the said present respondents that touching the election of the said officers there was never any such election as the said complainants have supposed but from all time the Mayor of the said City for the time being has taken to him such persons to serve him in the said offices as seemed to him most sufficient and honest as well for himself as for the common profit of the aforesaid City.

XLI. The Composition of 1415.¹

I. In y^e name of y^e Trinite fader sone and Holy gost, thre persones and on god in Mageste, principal and special avowe² of Norwich Cite and of alle y^e Commonaunte In y^e honour of qwhom oure Moder chirche is founded and halwed, on y^e day of Seint Valentyn martir whan creatures thourgh loue of kynde

¹ This Composition was agreed to for the purpose of carrying out the provisions of the Charter of 5 Henry IV., and was to that end sanctioned (though without acknowledgment) by the Charter of Henry V. It formed the authoritative basis of municipal administration, with little modification, down to 1835. Its careful and, on the whole, reasonable adjustment of the details of nearly every department of administration at an important epoch, and that by common consent of the whole body of citizens, in one of the leading cities of the kingdom, makes it of exceptional value. The consentient parties were evidently much guided by the practice of London. It was executed in the form of a tripartite Indenture with the seals of the Mayor, the Sheriffs and the Commonalty. Two of these Indentures are still preserved. The one here copied is in the best condition. It has a portion of the Common Seal remaining in the centre. The other, referred to as B., has the Sheriffs' Seal remaining in the 3rd place.

² Advocate or Patron. The Cathedral Church is dedicated to the Holy Trinity.

as it [is] seid chesen her make,¹ y^e seconde 3er of Kyng Henry y^e v^{te} after y^e Conquest in y^e tyme of John Biskelee Meir Henry Raffeman and Thomas Cok Shreves, be assent of y^e good Comonalte of y^e Cite of Norwich, the whiche Cite be dissensions trauerses variaunces and discordes uppon diuers articles of longe tyme hangynge the Cite hath be diuided dissoyled and in poynt to ben destroyed. Now atte holy preyer and mediacion of Seint Valentyn in whos day y^e Cite chaasce be loue of her to² be here make pees unite and acord poore and ryche to ben oon in herte loue and charite neuermore fro this tyme forth to ben disseuered, be helpe and grace of y^e Holy Trinite her special avowe, but standynge ful onyd³ and acorded in y^e articles underwriten uppon y^e tenure yat folweþ her after that is for to seyn in yis fourme. The Meir of y^e Cite of Norwich 3erly shal be chosen uppon y^e day of apostles Phillipp and Jacob⁴ in y^e Gylldhalle, to wiche eleccion y^e Meir & xxiiij^{ti}⁵ Concitezeyns of y^e same Cite and iche of hem shal come, but he yat hath resonable cause of excusacion, uppon payne of ijs. to y^e use of y^e Comonalte be y^e Comone Sergeant to be arered and payed. And also alle tho persones for y^e Comon counseil for y^e 3er chosen un to y^e same eleccion shullen come and iche of hem shalle come uppon payne of xij^d, but he yat hath cause of resonable excusacion. And also alle y^e Citezeyns Dwellers wit inne y^e same Cite unto y^e forseid eleccion shul frely come as they arn beholden, and y^e doores of y^e Halle to all Citezeinis ther wollyng entren and comen inne shulle ben oopen and not kept ne none from thens forbarred ne avoyded but foreyns.⁶ And thanne y^e Meir and y^e xxiiij^{ti}⁷ shuln goon upp to y^e benche and up⁷ yat anon after the Recordour of y^e Cite for y^e tyme beande,⁸ or a nother in his stede in his absence be⁹ y^e Meir or his Lieutenaunt to be assigned, shal declaren y^e cause of y^e comynge unto y^e forseid eleccion. After wiche declaracion so maade and pronounced y^e Meir and y^e xxiiij^{ti}⁹ shuln passen up in to y^e chambr of y^e Halle afornseid ther to abyden

¹ Choose their mates. "Make" is O.E. for "mate." (Strattmann, *O.E. Dict.*, Halliwell). "Her" is an old form of "their" and "hem" of "them."

² "Of her" is crossed through. "To" is omitted in B. The sense of the passage is obscure.

³ United.

⁴ May 1.

⁵ The final "ti" is written as though in Latin xx^{ti}, viginti. The same practice was in use in other places, as at Yarmouth where the two municipal bodies were described as the xxiii^{ti} and the xlviij^{ti} or even in English the 24ties and the 48ties (Swinden, *History of Great Yarmouth*, pp. 492, 500).

⁶ Non-citizens.

⁷ Upon.

⁸ Being.

⁹ By,

and than the Comone Speker¹ shal standen up thus seyand to alle y^e Commons ther generally assembled, "Sires and frendes for y^e loue of god² Ihu Crist in procedynge of this present eleccion behaue zow and rewle zow goodly and honestly and leeveth not for loue haate ne dreed yat ze chesen and nemelen³ two suffisant persones for y^e Office of Meir sweche as ben honourable and profitable for y^e Cite of wiche iche of hem haþ ben Meir or Shreve of y^e Cite and of wiche nouthur hath ben Meir thre zer aforñ," wiche forseid two persones shul be chosen uppon this fourme yat is for to seyne yat he y^t haþ most voys of the poeple in y^e Halle shalle be resceyued and accepted for oon of y^e forseid two⁴ and he yat hath y^e most voys of y^e poeple in y^e halle next after shal be taken for y^e tother of y^e same two. And y^e same two so ther chosen her names in a bille⁵ shuln ben entred and writen and be y^e Comone Speker and sexse of y^e Comon Counseil⁶ shuln be notified to y^e Meir and y^e xxiiij^{ti} beand in the Chambr of y^e Halle. After wiche notificacion so maad y^e same sexse shuln go down in to y^e Halle. And than y^e Comone Clerk be ouersight of y^e Recordour and y^e Comon Speker shalle haue y^e forseid bille in keypyng. Unto wiche thre persones y^e Meir aloone in propre persone shalle come to apart of y^e same Chambr and to hem shal nemele seueraly⁷ and secretly oon of y^e forseid two persones whom he wille haue to y^e office of Meir and up y^e same fourme iche of y^e nombre of y^e xxiiij^{ti} ther beande unto y^e forseid thre persones shal comen and shal name seueraly and secretly oon of y^e forseid two persones weche of hem he wil haue to y^e office of Meir and he of y^e forseid two yat hath most voyce be y^e forseyd serche and Scrutinie shal be prefixed and admitted in Meir for y^e zer yan next folwyng, acomptynge y^e Meires voice for two voyces zif trauers falle. And zif trauers falle

¹ The mouthpiece of the Common Council, or Commons.

² Omitted in B. ³ Name.

⁴ Apparently several names might be proposed by acclamation. The one that prevailed was first accepted, then the next. The eligible candidates could not have been numerous.

⁵ Any return or written report. Perhaps here used in the sense of "petition" from the Commons to the Mayor and 24.

⁶ The term "Common Council" or "Counsel" in this document plainly denotes the 60 as distinct from the 24.

⁷ It would seem that the Mayor and each of the 24 present went separately to each of the 3, the Common Clerk, Recorder, and Common Speaker, and that each of the 3 kept a record of the votes.

yat any variance hadde amonge y^e Comons in y^e Halle uppon y^e eleccion of two persones, yat it may not clerly be knowen to y^e Comon Speker be no manere of fourme be hym un to hem for to be putte or¹ Shewed wiche two haþ y^e most voyce thanne y^e common Speker and y^e Common Clerk shuln gon upp to y^e Meir and to hym shuln declaren y^e variance of y^e poeple in y^e Halle. And than the Meir shalle ziffe to y^e Comon Speker in com-
aundement for to clepe² to gedder the lx^{ti} persones for y^e common counseil of y^e Cite or as manye as ben ther in to an hows³ be hemself wiche yere shuln trien y^e forseid variaunce uppe y^e same fourme as it hath ben and zet is used in y^e Cite of London. And anon after y^e eleccion of y^e Meir y^t shal be for y^e zer suyng^e y^e Meir y^t þan is wit y^e Shireves [and] y^e xxiiij^{ti} shuln comen down in to y^e Halle amonge y^e Comons and take y^e dees³ and, sittyng^e y^e Meir,⁴ y^e Recordour or another in his absence be y^e Meir or his Lieutenaunt to be assigned shal declare to y^e Comonalte yere beande y^e name of hym so in Meir new chosen. And zif he so in Meir chosen be present y^e Meir shal take hym honestly and sette hym by hym uppon his ryght hond.

2. And also it is acorded y^t y^e Shreves of y^e Cite of Norwych iche zer shuln be chosen in y^e day of Nativity of oure Lady⁵ uppe this fourme, yat is for to seyne the Meir Shireves xxiiij^{ti} and y^e lx^{ti} persones of y^e comon counseil shuln comen to y^e same eleccion uppon y^e peyne ther uppon in y^e eleccion of Maire ordeyned, but he yat hath cause resonable of excusacion. And alle other Citezeyns unto y^e same eleccion shullen frely comen in the same manere and fourme as it is ordeigned for to come to y^e eleccion of Maire. And þan y^e Meir Shireves [and] y^e xxiiij^{ti} shuln gon up in to y^e Meires chambr and ther y^e Meir and y^e xxiiij^{ti} of his counseil be y^e avis and assent of hem or of y^e more part shuln chese on Shireve, comptyng^e y^e Meir for two voyces zif trauers falle, swiche as they wiln answer for.⁶ And than y^e Meir Shirevez [and] y^e xxiiij^{ti} shuln gon down in to y^e Halle and take y^e Benche and ther openly it shall be declared

¹ Call.² A chamber.³ Dais.⁴ The Mayor having taken his seat.⁵ September 8th.

⁶ The Sheriffs were responsible for the Fee Farm Rent. The 24 were bound to make good any default on the part of their Sheriff, and the Commons had to answer for theirs. In London the Mayor elected one Sheriff for whom he was answerable, the Council electing and answering for the other (*Lib. Alb. Lond.*, I. 44).

be y^e Recordour or be another in his absense in his stede be the Meir or his Lieutenaunt for to be assigned to alle y^e Commons ther beande of y^e name of hym so chosen in Shireve be y^e Meir and y^e xxiiij^{ti} and y^e more part of hem. And uppe that y^e Meir shall ȝive in commaundement to y^e Comonaunte for to gon to gidder and chesen a Concitezeyn dwellyng wit inne y^e Cite in to another Shireve swiche on for whom thay wiln answeren for y^e ȝer than nexste suyng. And þan y^e Meir Shireves [and] y^e xxiiij^{ti} shuln passen uppe in to y^e chambr of y^e Halle and þan y^e Commons in y^e Halle shuln duely proceden unto y^e eleccion of a nother Shireve. And whan y^e same Commons so shuln haue chosen a Shireve thay shuln make relacion to y^e Mair Shreves [and] y^e xxiiij^{ti} be y^e common Speker of y^e name of hym be y^e commons so in Shireve chosen. And ȝif ony variance falle amonge y^e poeple and y^e Commons uppon y^e eleccion of a Shreve that þan yis manere of variaunce shall be tried be y^e lx^{ti} persones of y^e comon counseil as uppon y^e variance of y^e eleccion of Meir is ordeyned. And he yat oones¹ is Shireve of y^e Cite afornseid for that tyme forth neuer shal be chosen to y^e same office of Shreve in the same Cite.

3. The eleccion of the xxiiij^{ti} shalle ȝerly be chosen on y^e same foure days yat y^e comone counseil shalle be chosen euery Warde be hemself uppon this fourme. The Meir shal seyn "Seres ȝe haue be poynt of Chartre² yat ȝe shuln ȝerly chesen xxiiij^{ti} Concitezeyns for the Meires counseil, and notgaynstandynge yat it is acorded and assentid and be composicion maade y^t y^e names of y^e xxiiij^{ti} shuln be nemelid to ȝow atte yis day, yat is to seyne Sexse Suffisaunt men for Conesford ȝif yere ben so manye suffisant in y^e same Warde to be of y^e noumbre of y^e xxiiij^{ti}, and ȝif yere be not so manye suffisaunt in y^e same Warde it shal be liefful to y^e Warde to chese y^e noumbr yat lakkeþ ther in other Wardes atte large in the Cite off the suffisaunt." And in this same fourme vj for Mancroft Warde vj for Wymer Warde and vj for y^e Warde over y^e Water shuln frely be chosen uppon y^e iiij dayes whan y^e common counseil is chosen as more pleylny here after is specified. And þise xxiiij thus chosen shul stande perpetual as thei doon in London be ordinance made³ except cause resonable. And if so falle y^t ony cause resonable be

¹ Once. ² Charter of 5 Henry IV.

³ By letter of R. II., 8 March 1384. By order of E. II., 8 June 1319, the re-election of London Aldermen had been prohibited. See *Lib. Alb., Lond.*, p. 36.

founden in ony of y^e xxiiij^{ti} persones at y^t forseid day þan shal y^t cause resonable be notified unto y^e Meir of sweche a persone to be chaunged and þan shal y^e Meir charge y^t same Warde ther [wher] swiche a persone shal be chaunged or in oyer manere failleþ or voidet for to go to gidderes & chese anoyer suffisant persone in his stede for to be in y^e nombr of y^e xxiiij^{ti}. And if so be y^t ony trauers falle among y^e poeple of y^e Warde for y^e cause resonable y^t ony of y^e xxiiij^{ti} persones shulde be chaunged so, than it shal be tried be more part y^t arn at y^t day yer cleped to geddere for to her y^e nominacion and chese for hym yat shulde be chaunged wethir it be cause resonable or noon. And y^t man of y^e xxiiij^{ti} be y^e same cause resonable be stille and stande charged and discharged in y^e Cite of Norwich be wiche cause resonable as y^e xxiiij^{ti} in London or ony of hem be charged or discharged in y^e Cite of London. And zif it seme to y^e Meir whan y^e xxiiij^{ti} ben thus chosen y^t ony of hem be not suffisant y^t þan shal y^e Meir haue chalange and restreyn as y^e Meir of London hath be ordinance in the Cite of London.

Also it is acorded y^t y^e poynt of Chartre¹ touchynge y^e xxiiij^{ti} y^t þey shal no þyng do ne make y^t may bynde or charge y^e Cite wit owte y^e assent of y^e Commonaunte and uppe y^t y^e article of y^e xxiiij^{ti} shal be amended be poynt of Charter after y^e fourme of y^e xxiiij^{ti} in y^e Chartr of London.

Also yer shal no Meyr ne Shreve ne no man of y^e xxiiij^{ti} ber ne take no clothyng of no lord² whil he stant in office of Meire or shireve or in y^e nombr of y^e xxiiij^{ti} uppon payne of forfeiture of his fraunchise in so moche y^t who so doþ y^e contrarie he shalle be forbarred of his fredom of y^e Cite. And y^t yere shal no man be chosen to be of y^e nombr of y^e xxiiij^{ti} y^t holdeþ comone Hostrie or comone alehous.

4. Also it is acorded y^t y^e eleccion of y^e lx Citezenis for y^e comone counseil shul be chosen 3erly be y^e iiij Wardes uppon yis fourme. That y^e moneday next after passion soneday,³ sparyng

¹ The Charter of 12 February 1380 had granted powers of legislation to the 24 without reference to the "assent of the Commonalty" as expressed in the similar grant to London. The Commons had complained of this. See Introduction V. 4.

² This was to keep the City free from outside influence and faction.

³ The 5th Sunday in Lent. The choice of this season may have been due to the fact that the popular Leet Courts were held during Lent and were generally completed about this time. Or it may have been chosen in imitation of London where, however, the elections were differently constituted. By ordinance of 2 February 1384, the London Aldermen, who had been appointed on St. Gregory's Day (12 March), were within the

oure Lady day¹ whan it falleþ and if our Lady day falle on y^t moneday þan y^e forseid eleccion shal be holden y^e werkday þan next folwyng, and y^e soneday next aforⁿ y^t monday y^e Meir be his officers shal charge hem y^t thei shuln up peyne of forfeiture of her office duely warne y^e Warde of Conesforth alle y^e enfraunchised men housholders² of y^e same Warde to be atte Gyldhalle on y^e same moneday, but if our Lady day falle y^t day, atte viij y^e Clocke, or elles y^e next Werkday than folwyng. And whan they ben assembled y^e Meir w^t oon of y^e xxiiij^{ti} chosen for y^e same Warde shal declaren hem or do declaren y^e cause of y^e comynge and þan comaunde hem to gon to gidder for to chese xij³ suffisaunt men of y^e same Warde for to be of y^e common counseil for y^e 3er next folwyng, y^t is for to seyne in Conesforth⁴ vj and in Berstrete vj, and they so chosen y^e names of hem forþwit be iiij persones assigned be y^e same hool Warde shal be presented up to y^e Meir, uppon whiche presentement y^e Meir shal 3eve hem her charge to 3ive good & trewe counseil uppon here witte for profit of y^e Cite and to be redy for to come to y^e common counseil whan thei arn somoned uppon peyne yer uppon ordeyned, but he y^t haþ cause resonable of excusacion. Also in Mancroft Warde þey shuln chesen y^e next day after, except oure Lady if it falle, in y^e manere aforⁿseid xvj men, y^t is for to seyne vij of Seint Petres of Mancroft and v in Seint Stephenes & iiij in seint Gieles. Also in Wymer Warde y^e next day þan after þai shuln chesen uppe y^e same fourme xxi^{ti} men for y^e common counseil, y^t is for to seyne in Seint Gregories vij in Seint Andrews

next 15 days each to assemble his own Ward for the purpose of electing Common Councillors for the ensuing year (*Lib. Alb., Lond., p. 462.*)

¹ March 25th.

² That is, all separate male householders who had been duly admitted as citizens. This is plainly equivalent to the Latin description in the Charter of Henry V., "omnes cives habitantes et hospicia sua per se tenentes." In both cases Blomefield misses the sense by calling the persons to be summoned by virtue of the Composition (*Hist. III. p. 129*) "the freemen and householders" and by the Charter of Henry V. (*p. 133*) "all citizens, inhabitants, and housekeepers." Non-citizens were not qualified to vote.

³ By the ordinance mentioned above (*p. 98, n. 3*) the 96 Common Councillors in London were to be distributed among the 24 wards in numbers proportioned to the varied size of the wards (*Lib. Alb., Lond., p. 463*). This practice was followed in Norwich with one modification. Proportionate numbers were assigned to the 4 great wards as the only recognised electoral units. These numbers were to be further apportioned in each ward among its subdivisions (the old sub-leets or constabularies) which were now 10 altogether and at a later time were reorganised as the 12 Aldermanries, 3 to each ward.

⁴ That is, the subleet of Conesford, which, with the subleet of Berstrete, formed the Leet or Ward of Conesford.

vij and in Seint Georges vj. Also for y^e Warde ouer y^e Water y^e next day þan after in y^e same fourme þei shuln chesen for y^e common counseil xij men, y^t is for to seyne vj for Coslanye & vj for ffybriggate. And uppon yis same fourme y^e comon counseil shal ȝerly be chosen as it is aforneid. And thise persones þus chosen for y^e Common counseil in Norwich shuln haue poer as swiche persones chosen for y^e common counseil in London han poer in y^e Cite of London. And y^e Meir or his Lieutenant shal be beholden for to kepe y^e fourme of y^e forseid eleccion of y^e xxiiij^{ti} and of y^e persones for y^e comon counseil uppon y^e forseid Warde dayes be y^e vertue of his ooth y^t he makeþ to y^e office of Meirealte affor y^e Meir in a Comone semble uppon y^e fourme of an ooth her after suyng as it is in London. Also alle y^e ordinances and constitutions y^t semeþ to y^e Meir and y^e xxiiij^{ti} expedient and necessarie for y^e behoffe and y^e welfare of y^e Cite, y^e Meir y^t is for y^e tyme shal declaren or doo declaren be y^e Recordour or be som other persone in his absence assigned be the Meir to y^e common counseil uppon wiche declaracion¹ if it seme to y^e lx^{ti} persones of y^e common counseil that þo matiers so þan unto hem put nedeth lenger avis and deliberacion of answer, thei shuln asken it and al y^t semeþ expedient for y^e Cite be y^e common speker of y^e Meir and of his counseil y^t þan yere arn or ben sittenge respit and avis of her answer be deliberacion, and a bille of y^e same materes be y^e comaundement of y^e Meir for to be delyuered to hem into y^e next semble to ȝiven in her answer or in to anoþer tyme put in certein as hem semeþ y^e matier chargeable lesse and more, y^e Meir shal be beholden as often as þei asken it to graunten hem togedderes for to gon in an hows be himself w^t owten ony denyenge and none oþer wit hem but y^e comone speker and if they wille haue moo² to hem as often as they asken y^e Mair shal be beholden to sende for hem w^t owten ony witsayenge, and in maters y^t semeþ to y^e forseid lx persones for y^e comon counseil y^t nedeþ not gret ne long avis be it liefful if þei wiln to gon apart be himself or in to y^e floore

¹ The remainder of this clause is rather obscure. It appears to mean that, if the Commons desired to have time for deliberation on ordinances proposed by the Mayor and 24, they might ask for it through the Common Speaker. Then a written bill of the matters proposed should be delivered to them at the next Assembly or some other fixed time, and as often as they wished they should be allowed to go apart for deliberation by themselves.

² More.

w^t here common speker and goodly and spedly witowten gret delay to comen inne wit her answer as hem semeþ speedful and needful to y^e purpos.

5. Also it is accorded y^t y^e Meir shal haue iurisdiccioⁿ Court¹ and correccion ones in y^e Woke or as often tyme more as semeþ hym spedful and needful for to her and determine in his Court beforn hymself al manere of extorcions, oppressions, iniuries, excesses, ignoraunces, mesprisioⁿs and necligences don be ony office benethe and y^e causes examine, correcte, redresse and refourme and to partie aggreued amendes awarde after y^e quantite of y^e trespas. And he shal haue in his Court beforn hymself all plees of apprentice^z and apprenticialtes of seruant^z and her seruice be statut of labourie as he yat is chief Justice of y^e pees in y^e Cite, and plees of fyn and raunson of prisoners taken and be her felawes uppon her charge her founden not quyt or delyuered,² plees of debte, letters of payement^z and of all oyer contract^z mad or don betwen Merchant and merchant or ony persone bezonde y^e see and alle oyer plees and articles yat falleþ and longeþ to y^e office of Mairalte savyng y^e profit to y^e Shreves yat longeþ to hem of ryght. And þe Meir shal not take no pleyntes aforn hym in execucion in his Court wit outen bille of y^e partie pleyntif conteynenge y^e aggreuances of y^e compleignant. And y^e Recordour y^t is assigned to the Meir shal be sworn aforn y^e Meir and his counseil in a Comone semble yat he shal zeve him good and trewe counseil in use and execucion of gouernance of comone ryght of y^e comone poeple, and y^e comone good³ shal not paie for no necligence ne offence don be y^e shireves ne her office. And y^e Recordeur⁴ shal not be iugge of y^e shreves Court ne of counseil of no thyng y^t may be hynderynge to y^e Meires court in contrarie of his ooth abouseid.

Also it is acorded yat alle plees of rent, lond and tenement^z and entre^z enrollement^z and y^e reconisances shuln ben afor y^e Meir and Shreves in y^e Meires Court reseruyng y^e profit yereof to y^e shreves⁵ and y^e fees for y^e entre of y^e enrollement^z to y^e Meires Clerk.

¹ On this Court, see Introduction XI. 7.

² The meaning of this sentence may be, that the Mayors might try pleas concerning the fine or ransom to be paid by prisoners taken and not delivered (bailed) by their fellows upon the charges there found entered against them. "Her charge" only occurs in B.

³ The common fund or stock. This was not to be used to cover negligence of the Sheriffs, because they were agents for the King rather than the Commonalty.

⁴ This was one of the complaints of the Commons, No. XXXIX. 6.

⁵ On the assignment of fees to the Mayor or the Sheriffs, see Introduction XI. 4.

Also y^t what man yat compleignet hym to y^e Meir or to y^e shireves for seurte of y^e pees þan y^e Meir or y^e shireves shuln be beholden for to don hym haue seurte as Lawe wille. And yat persone y^t so haþ founden seurte in y^e toon Court shal not for y^e same matere fynde no seurte in y^e toþer and yat he whiche be comaundement of y^e Meir for seurte of y^e pees or for ony oyer cause is assigned to prison shireves shal not wit owten special biddynge of y^e Meir delyueren.

And as touchyng y^e assay of bred y^e Meir, y^e Shirewes or on of y^e Shreves wit the Meir shal make y^e assay and y^e defautes so founden y^e fyn uppe quantite of y^e trespas for to be mad be y^e Meir and y^e Shreves, y^e fyn of weche defaute so demed¹ shal tourne to y^e Shreves and he yat is founden defaultif twyes y^e fyn yerof shal passe to y^e shreves and atte thredde defaute he shall haue his punysshement as lawe wille, and if he be resceyued to grace for to make fyn for his defaute yat than yat fyn shal be mad be y^e Meir and y^e Shireves, thre of the xxiiij^{ti} and vj Comoners chosen for y^e Comon counseil, weche vj persones shuln be chosen be y^e lx^{ti} persones of y^e comon counseil, and y^e fyn be hem so mad shal tourne to y^e comone profit. And y^e Meir shal haue serche and correccion of alle oþer vitaille wit inne y^e Cite savyng y^e profit to y^e shreves.

6. Also it is acorded and be composicion mad yat y^e Meir and y^e xxiiij^{ti} shullen be clothed in suyt after her estat askeþ, y^t is for to seyne y^t alle þo y^t han be Meires of this Cite shuln weren her Clokes furred and lyned as y^e estat and seesson of y^e 3er askeþ and y^e xxiiij^{ti} in her estat in clothyng of suyt shul be beholden for to go wit y^e Meir in her best array on principals dayes to Cristchirche² to assembles and other places wit inne y^e Cite. And whan y^e Meir rydeþ alle y^t han be Meires shuln ryden in here clokes and y^e toyer pieres³ in lyuere of suyt, and iche man y^t haþ ben Mair shal be beholden to kepe yis ordinance uppon peyne of xx^{li} and iche of y^e remelant of y^e xxiiij^{ti} uppon peyne of cs., weche peyne shal be rered be y^e Meir to y^e comone profit. And y^t no man fro yis tyme forþ be chosen to y^e office of Meir and Shireve y^t is bonde man and y^t y^e comon shal haue sweche knowyng and kepyng of y^e comone good and in y^e same awarde⁴ kept and place as y^e communes haue of y^e Comon good in London.

¹ Adjudget.

² The Cathedral Church was commonly so called.

³ The other peers.

⁴ Guard. B. has "ward."

7. Also it is acorded y^t you it so be y^t at renuwyng of y^e Chartere y^t yis poynt of xxiiij^{ti} y^t her after foloweþ shal be sette in y^e Chartr as it is aboue seid y^t y^e xxiiij^{ti} shul be ȝerly nemelid and chosen for to don and to ordeyne in charge of y^e Cite as in y^e same point is specified, notwithstandyng it is accorded and assentid y^t yei shul standen corporat perpetuel, except cause resonable, be yis ordinance mad and not be poynt of Chartr up yis fourme. *Preteria concessimus pro nobis et heredibus nostris et hac presenti Carta nostra confirmauimus prefatis Ciuibus nostris quod si fortassis alique consuetudines in dicta Ciuitate hactenus optente et usitate in aliqua sui parte difficiles siue defectiue existant sic quod propter aliqua in eadem Ciuitate de novo emergencia ubi remedium prius clare non extitit ordinatum emendacione indigeant quod tunc Maior Ciuitatis predicte pro tempore existens ac xxiiij conciuēs eiusdem Ciuitatis per Communitatem eiusdem singulis annis eligendi potestatem habeant et auctoritatem remedium congruum bone fidei et consonum rationi pro communi utilitate Ciuium Ciuitatis predicte et aliorum fidelium nostrorum ad eandem confluencium de assensu Communitatis¹ predicte apponendi ac eciam ordinandi et ordinaciones suas huiusmodi execucioni debite demandandi quociens et quando opus fuerit [et] eis videbitur expedire. Dumtamen ordinaciones ille sint nobis et populo nostro utiles ac bone fidei et consone rationi sicut predictum est.*

8. Also in y^e Fest of y^e Inuencion of ye holi Croys^a be y^e assignement of y^e Meir ȝerly also shal be holden a Comone semble in y^e wiche y^e newe elyt in Meir in y^e day of Philip and Jacob next aforn shal nemele two persones to bere y^e swerd of y^e wiche thwo y^e semble shal chesen oon be y^e assent of y^e more partie yere present. And in y^e same semble y^e forseid elyt shal nemele iiij persones for his two Sergeantz of y^e weche y^e Comone semble or y^e more partie shal chese two for to stande forþ for y^e ȝer w^t þe Meir in office of Sergeant³.

9. Also it is ordeyned and acorded be y^e assent of y^e Comone assemble y^t after y^e tyme y^t y^e xxiiij^{ti} and y^e lx^t persones of y^e comone counseill be chosen alle tho ordinances and constitucions y^t han ben used and mad afor yis tyme y^t arn not now conteyned in this acord shul be shewed befor y^e Mair y^e Shreves and y^e xxiiij^{ti} and y^e lx^{ti} persones of y^e common counsel and þo y^t ben good and profitable shul be kept and þo

¹ The words "de assensu Communitatis" are not in the Charter of 3 Richard II.

² May 3rd.

y^t be not behouely be this composicion shuln be left, and alle oþere poyntz y^t ben necessarie to be hadd for y^e welfare of y^e Cite y^t come not now to mynde it is committed to y^e hool assemble yere uppon to ordeyne and make remedie be ordinance and assent of y^e hool comonalte for profit of alle y^e Cite.

10. Also it is ordeigned y^t whan y^e newe elyt in Meir hath þus chosen his officers forth wit the same day in y^e assemble y^e hool assemble shal chese y^e Recordour, Belleman and Dykkepere,¹ and þan y^e Meir and y^e xxiiij^{ti} shuln chese be hemself a Comone Clerk, oon Crouner, two Clauers² and viij Constables.³ And þan y^e lx^{ti} persones of y^e Commone counseil shul witinne hemself chese a Common Speker, oon Crouner, two Clauers and viij Constables. And on seynt Mathu day⁴ next after in assemble assigned be y^e Meir 3erly shuln be chosen for y^e 3er folwyng be y^e Meir and y^e xxiiij^{ti} oon Chamberleyn, oon Tresorer, two Auditours yat arn not acomptable of y^e Comon good and thre Comoners for to be of counseil wit y^e Chamberleyns for y^e 3er. And y^e lx^{ti} persones of the comone counseil chosen for y^e 3er shuln witinne hemself for hemself and be hemself chesen also oon Chamberleyn, oon Tresorer,⁵ on Comone Sergeant, two Auditours weche be not acomptable of y^e comone good⁶ and thre Comoners for to be of Counseil wit y^e Chamberleyns of y^e Cite, wiche officers so chosen for the 3er shuln be beholden in a comone semble after yat her 3er is comen owt assigned be y^e Meir between Michelmesse and Halghmesse⁷ in weche assemble shal be ful declared what good y^e Comon haþ in debtours and redy money and y^e names of y^e debtours, notwitstondyng y^t y^e same Tresorers shuln stande still charged to y^e comon for y^e same debte and debtours and yereof answer to y^e Comon as debte be hem due but if y^e forseid Tresorers haue cause resonable yereof to be excused.

¹ Keeper of the ditches outside the City Walls.

² Keepers of the Keys of the City Chest.

³ On the number of these Constables, see Introduction VII. 7.

⁴ September 21st. The principle of these appointments is that all officers connected with the Mayor's office, police administration, &c., were chosen concurrently with the Mayor, while those connected with the Sheriff's office and financial administration were chosen concurrently with the Sheriffs.

⁵ The distinction between a Chamberlain and a Treasurer is not apparent from the City Records. See No. XXXIX. 4.

⁶ Persons who are not themselves accountable to the Community for any obligations.

⁷ Hallowmas. All Saints Day, November 1st.

11. Also it is ordeigned y^t iche craft in y^e Cite shal frely and ȝerly chesen of her craft wit in hemself ij Maistres for y^e ȝer comyng, y^e wiche ij maistres shuln be presented be bille writen to y^e Meir be men of y^e same craft, y^e wiche maistres atte a certein day yere upon prefixed be ordinance y^t is for to seyne y^e Moneday next after y^e Meires rydyng¹ shal be charged to make good and trewe serche in her craft of al defautes in y^e same craft uppon y^e hooth so taken aforⁿ y^e Meir. And alle y^e notable defautes y^t þei fynden in her craft tho shuln wel and trewly ben presented upp to y^e Meir witowten conceement, and y^e defautes so presented y^e Meyr and y^e same maistres presentyng^e þo defautes w^t oyer mo suffisant men of y^e same craft y^e defautes shal be demed and fyn mad after y^e quantite of y^e trespas, of wiche fyn alf shal tourne to y^e shreves and alf to y^e maystres of y^e craft.² And if it be founden y^t y^e maistres conceile onye notable defeaute þan for y^e conceement y^e maistres shuln be punyshed after y^e quantite of y^e trespas be avis of y^e Meir and be moo suffisant men of y^e same Craft. And if þer be ony Craft y^t nedep for to be serched and wil no serche haue þan y^e Meir shal sende for y^e craft and charge hem to chese ij maistrez w^t in hemself and if þei wil not chese and presente y^e names w^t in viij dayes next folwyng þan be it liefful to y^e Meir in defeaute of yat craft y^t so wil none chesen to chese for y^e craft ij of y^e same craft and to ȝeve hem her charge to make good and trewe serche in y^e manere aforⁿseid. And þo craftes yat have serche in y^e Cite of London shal haue serche in y^e Cite of Norwiche and uppon y^e fourme yer used in London except þo craftes y^t arn priuilegid be patent of Kynges graunt as be poynt of Chartre. And if ony craft be in Norwich y^t is not used in London thei shul chese ȝerly maistres of her craft and use y^e manere and y^e fourme as opere craftes don in y^e same Cite of Norwich.

12. Also it is ordeigned y^t al foreins y^t now holde shoppe in y^e Cite and haue apprenticeȝ shul reioyse³ her apprentices and shop holde under tribut and amercyement as it haþ ben afor tyme used unto⁴ he may bye hym freman of y^e Cite and none of hem shal take none apprentiz ne no seruant to his propre craft fro yis tyme forþ til he ben enfraunchised but if it be his owen

¹ The Mayor's "riding" at this time was on Tuesday after Trinity. The Mayor elected at Michaelmas 1415 is described in the Court Roll as sitting "from the feast of Holy Trinity 3 Henry V. to the same feast 4 Henry V."

² B. inserts "same."

³ Enjoy (?).

⁴ Until.

chyld or his wyffes, owttake¹ þo craftes y^t may not don her craft alone to wiche craft it shal be liefful to taken a seruant unto his help.

13. Also it is ordeigned y^t al manere foreins y^t now in Norwich holde no shoppe shul holde shoppe fro yis tyme forþ in yis fourme, þei shal holde shoppe ij 3er and j day under tribut and amercyement, 3if þei mow not rather byen hem her fraunchise² of y^e Cite, but þei shul non apprentice take in no manere but on y^e forseid fourme, ne þai shal no seruant take but if he may not werken wit owten a seruant or a felawe, after two 3er and a day passed y^e Mayster of his craft shal come honestly to hym and 3ife hym warnynge to be a freman or elles sper³ in his shop wyndowes. And if he wil not so don wit in xiiij dayes y^e maistres of his craft w^t an officer of y^e Meires atte comaundement of y^e Meir be yis ordinance shal come to hym and don hym speren in⁴ and he so spered in ne non other shal not holde his craft wit in hows ne w^t owten.

14. Also it is acorded y^t euerych fraunchised man of y^e Cite fro yis tyme forþ shal none apprentice take for lesse terme þan for vij 3er and hym for to enrolle in y^e Chambr w^t in twelmonth and oon day befor y^e Meir uppe on forfeiture of his fraunchise paynge for y^e enrollement to y^e Chambr iijs. and to y^e Comone Clerk vjd. for y^e entre and whan y^e apprentys haþ serued owt his 3eres þan be record of his maister or elles be acquytance or be another suffisant Record þan y^e apprentys shal be resecyued to y^e fraunchise and his fredom entred payenge to y^e Chambr a noble⁵ and to y^e Shreves⁶ a noble and to y^e Clerk vjd. for his entre. And y^t alle manere of men now Citezeyns of y^e Cite shal be enrolled of what Craft⁶ y^t he be of w^t in xij month and j day up peyne of forfeiture of his fraunchise payenge jd. for y^e entre, and y^t alle manere of men y^t shul be enfraunchised fro yis tyme forth shal be enrolled under a craft and be assent of a Craft, y^t is for to seyne y^e Maistres of y^e same craft y^t he shal be enrolled of shal come to y^e Chambr and wnesse y^t it is her

¹ Except crafts that cannot be done by a single person.

² If they will not rather buy themselves their freedom.

³ Fasten up (Halliwell *Spere* 5) first the window and afterwards, on contumacy, the door.

⁴ Cause him to be fastened in.

⁵ Half a mark, 6s. 8d.

⁶ Before this time a newly-admitted citizen was enrolled as such without further description unless apparently at the discretion of the Clerk. Henceforward the occupation is entered as a rule. The crafts are not separately entered till 1450.

wille y^t he shulde be mad freman of her Craft payenge to y^e craft yere he shal be enrolled under xld. and payenge to y^e Chambr atte lieste xxs. and more after y^e quantite of his good as he may acorde wit y^e Chamberleyn, and vj men shal be chosen for to be of counseill wit y^e Chamberleyns in resceyvynge of burgeyses, þo men yat thus shul be resceyued shal make gree^t wit y^e Shireves as þey may acorde and yat alle foreyns burgeyses^a shuln be contributorie to alle y^e Comone charges of y^e Cite whan it falleþ. Also yat no alien fro now forth comynge in to y^e Cite shal not be herberwerd wit non alien ne wit no foreyn. And also yat no foreyn shal holde none Hosterie fro yis tyme forth, ne none aliëne ne none foreyn shall selle no marchaundise be retaille savyng smale Haberdassherie under serche and tribut in abydyng comynge and goynge of her haberdassh fre shewynge and owtyng. And yat no manere of alien shal ber no comon office in y^e Cite. Also þat burgeyses yat shul be chosen for Knyghtes of y^e Shyre of y^e Cite^b shuln be chosen be y^e comon semble and y^e persones so chosen her names shul be presented and publysshed in pleyne shire wit inne y^e Cite to y^e Meire Shireves and to here counseil ther beande in y^e Gylldhalle.

15. Also it is acorded and ordeigned and be composicion stablysshed and confermed that Clothyng and Hodyng of alle Gyldes and compaignyes her to forn tyme in y^e Cite of Norwich hadde or used, als wel y^e names and y^e priuilegies of y^e same Gyldes and compaignyes in hemself as y^e lyuere and clotynge

¹ Agreement.

² This has been taken to mean a class of citizens of Norwich called "foreign or non-resident burgesses." But in that case they would be called "foreign citizens." It no doubt means strangers who being burgesses of other chartered towns claimed exemption from tolls, but were required to contribute to the common charges while resident and trading. A "foreigner" was anyone who was not a citizen; an "alien" was a stranger from beyond the sea.

³ There was no distinction in elections to parliament between Burgesses of the City and Knights of the Shire of the City. They were popularly called Knights, for their allowance was spoken of as "Knights' Meat" (Blomefield, *Hist.* IV. 98). "In pleyne Shire" would be in the County Court of the City which at the time of this Composition the Sheriffs still held in the Guildhall as a separate court. In 1430 (Statute 8 Henry VI. C. 7) the qualification for the County Parliamentary franchise was made a 40 shilling house. Blomefield (III. 142) thinks that this Act at once gave a vote to such householders in the city, even if they were not citizens. Such was the case in his time. But so late as 1488 we have an election of 2 Members of Parliament by the Assembly (No. CCXXIX.). The whole question is discussed as to this and similar cases in Corbet's *Electoral Franchise in County Boroughs*.

of y^e same Gildes and compaignyes, shal fro this tyme forth be left and avoyded. And alle Craftes y^t wilbe Cladde shal be cladde after y^e fourme of London. And yat same clothynge bere y^e name of y^e same Craftes and of none other and yat no craft shul be cladde under Colour of another Craft of Coillet.¹ And if ony Craft Gylde or compaignie pursue or come in contrarie of y^e fourme aforneid saue Craftes only wit inne hemself wit owten ony coillet of other Craftes y^t he be arrested as rebell azeyns y^e pees and letter of good acorde in y^e Cite and committed to prison, yere to abyden til he haf mad fyn and raunson for his offence be avis of y^e Meir and of y^e hool semble. And y^t no man yat suyet be patent to bare ony office in y^e Cite y^t he yat so suyet shal not bere no manere of office in y^e same Cite in savyng of y^e liberte of y^e Cite y^t y^e Kynge haf graunted be poynt of Chartr and who so dop shal forfaite his fraunchise.

16. Also as touchynge y^e Kynges taske² whan it fallet to be gadderet in y^e Cite it is acorded y^t yere shal be chosen be y^e Comon Assemble for iche of y^e iiij Wardes in y^e Cite iiij men for to leye y^e taske and ij men to gadderet, yat is for to seyne of y^e Warde of Conesford iiij men for to leye y^e taske in y^e same Warde, and þo persones so chosen in y^e Semble shul be charged befor y^e Meir y^t þei shuln wel and duely leyn every man of y^e same Warde after y^e quantite of his good. And oþer ij men y^t shal be chosen to gadder y^e taxe in y^e same Warde shul be charget wel and trewly for to gaddere it as it is zove hem writen be y^e sessours and y^t þei shul not on her owen heed ne auctorite for loue haate ne dreed encressen ne ameinissen azeyns her charge aforseid so y^t þo iiij persones of iche Warde and ij of y^e same Warde be y^e semble chosen for y^e Warde, y^t is for to seyne iiij for to leyn it and ij for to gadder it, shul duely and trewly don her deuoir uppon her charge and y^e fourme aforseid. In to witnesse of all thyng aforseid y^e Mair Shreves and the Comonalte be y^e hool assent of alle y^e Cite han in tookne of ful acord for to be duely kept do sette to her Comone seel and y^e Meir and y^e Shreves her seils.³ Maade atte Norwich on seynt Valentyns day y^e 3er of Knnge Henry aforneid.

¹ Collection or gathering (Fr. *cucillir*). Perhaps "associated crafts."

² Tax. The Tenth and Fifteenths.

³ The Mayor and Sheriffs are mentioned separately because they had their Seals to witness with ; the 24 having no Seal of their own are included among the Commonalty.

XLII. Tripartite Indenture between the Mayor, Sheriffs & Aldermen, 1424.

Confirmed & certified by Inspeximus, 8 Henry VI., 1429.¹

Henricus Dei gracia Rex Anglie Francie & Dominus Hibernie Omnibus ad quos presentes litere peruenerint salutem. Inspeximus quasdam constituciones & restriccionis per Maiorem & Aldermannos ciuitatis nostre Norwici pro bona & quieta gubernacione inter eos in eadem ciuitate habenda inperpetuum obseruandas ex eorum unanimi assensu factos ut dicitur in hec verba. For as meche as the Citee of Norwich in diuers parties of the Rewme of Ingelond is heuylly voyсед^a for lak of good and vertuous gouernaunce Wyth Inne the said Citee had, to gret dishonour of the Mair Aldermen and good Commons of the same, Wherfor the Mair and the Aldermen beforneyd Willing and desiring to 3eue good example to the Commouns of the Citee abouenseyd of good and quietable gouernaunce among himself With on assent be thise presents triparted up⁸ special grace of the holy Trinite thei make and ordeyn thise constitucyons and restreynts in the forme that folwyth. First that the xxiiij Aldermen and yche of hem do her trewe diligence in counsell 3eving to the Mair and in counsell kepyng and in all othir good gouernaunce to her power and in the same wyse that thei ben entreated gouerned charged and discharged as both the Aldermen in the Citee of London. Item that the Aldermen of the seyde Citee of Norwich beforneyd and yche of hem xal come to the Mair to the Gildehalle er to any othir place With Inne the boundes of the sayde Citee of Norwich Where the Mair Wyl common⁴ er speken of maters necessary for the Citee and the good gouernaunce of the same after the discrecion of the Mair Whan thei ben warned be the Mair er any of hys officers er be any othir person assigned be the Mair, and that he kepe hys owre⁵ that he be warned but if he have swiche a cause as the Mair for the time beyng may fullych ben enformed that is resonable to ben excused by, and Whiche of hem alle do the contrarye of this to paye vjd. for his defeaute. And if on discrecion of the mair the maters be so necessary that his personalle excusacions left ned must ben had, that thanne he to be redy Up forme beforneyd upon swiche payne as the Mair be the advys of the xxiiij Aldermen er the more part of hem Wyl settyn and assignen. Item that the xxiiij Aldermen and yche of hem xal secretly kepe alle counsell and communication of alle maters of charge after the seyde discrecion shewyd or meved be the Mair and Aldermen With Inne himself touchyng good gouernaunce fornseyd into Whiche

¹ Enrolled on the Patent Roll for this year. Blomefield, III. 137, incorrectly calls the date of confirmation, 8 H. VII., 1492.

² Much talked against.

³ Upon.

⁴ Commune.

⁵ Hour.

tyme thei ben shewyd and declared in a common assemble Whiche xal ben ordeyned be the Mair and the xxiiij Aldermen er be the more part of hem er in any othir place Where the seyd Mair and Aldermen er the more part of hem thynkyth resonable. And what Alderman do the contrarye of these poynts in maters chargables after the seyd discrecion to ben kept counsell thanne that Alderman so founden in defaute for to ben discharged of the Estate of Alderman and put out of counsell be the Mair and the Aldermen er the most part of hem after that tyme that hys defaute be proued er Witnessed be the more part of the residue of the xxiiij Aldermen. Item that alle the xxiiij Aldermen and yche of hem xal Wyth al her myght and konyng supporten the Mair for the tyme beyng in comyng to hym and counsell zevyng in Wakyng¹ Wyth hym on principal dayes and in processions er to any lord er lady er persone of Wurship into any place Wyth Inne the Citee assigned be the Mair, in supportyng counselyng coumfortyng and streyngthyng of the Mair and Wurship of the Citee Whanne thei be Warned be the Mair er be any of his officers, And whiche of hem do the contrarye of this for to payen vjd. for his defaute, and if his presens Wyth outen excusacion nedyth to ben had thanne he to be redy up on swyche forme and peyne as the Mair be the advys of the xxiiij Aldermen er the more part of hem Wyl settyn and assignen. Item that non of the xxiiij Aldermen xal take sewte² ne querell in no maner Wyse azens any of his felas Aldermen into that tyme that he hath shewyd and declared his compleynt and hys aggreuans to the Mair and to dyuers persons of the Mair's counsel Aldermen and if it be founden that any swiche person of the xxiiij Aldermen hath mad hys compleynt and hys aggrenauns shewyd be dyuers tymes to the Mair and his counsell Aldermen and may no remedy han, thanne he xal shewe his maters and his aggreuans to the more part of the xxiiij Aldermen how and in What Wyse he hath compleyned hym and is nought remedied, and after that tyme of his compleynt and his aggreuants thus shewyd and declared it xal be lefful to any swiche persone of the xxiiij Aldermen to take his sewte and hys accion Wher that hym likyth, and Whiche of hem do the contrarye of this in forme beforneyd and aproued er Witnessed for to payen xxs. for hys defaute. Item that non of the xxiiij Aldermen xal be party in no maner mater azens non felawe of hys Alderman in loutedayng³ ne concentyn to be chosen er standen as arbitrouer Wyth any other singler persone azens any of the xxiiij Aldermen but he xal for his frend treten alle maner of maters to good pees and reste but in no Wyse standen as party azens non of his felaws Aldermen in Arbitracion ne in non othir maner of cause What so ever it be Wythoute consent of the same persone of the xxiiij Aldermen that he xal be chosen azens

¹ Walking.² Suit.³ Day of reconciliation.

but if it be for his ner kyn or ner alliaunce, And whiche of hem do the contrarye to this for to payen xxs. for his defaute. Item that non of the xxiiij Aldermen xal reiowe supporten ne comferten no maner of person Whatsoever he be in spekyng of sclandrous Wordes ne in no maner of Werkyng aȝens any of his felaws Aldermen but in alle places where that any of hem here any swiche person speken any sclaunderous Wordes er noyous er in any Weye be any malice Werkyng aȝens any of the fornseyd xxiiij Aldermen, that thanne he xal withseyn and restreyn that persone so spekyn or Werkyng so maliciously aȝens any of his felaws Aldermen and lettyn¹ hym bothe of his Wordes and of his Werkyng in al his power and upon his konyng, And furthermore geve warnyng to that same persone of the xxiiij Aldermen so spoken of sclaunderously er in Werkyng ymaged aȝens so that he may han knowyng of his Enmy that so speketh or in any [way] Werkyth maliciously aȝens hym, And whiche of hem do the contrarye to this for to payen vjs. viiij^d. for his defaute. Item that non of the xxiiij Aldermen xal fro this time forth Werkyn ne non Werkyn be hymself ne be non othir maner of mene in his name among the comon puple of the citee steryng² ne excityng no maner of mater to ben chosen to any offys that may touche a gouernaunce of the citee ne for non othir maters touchyng comon gouernaunce for hymself ne for non othir person but if it be aforn concentyng of the Mair for the tyme beyng and the more part of the xxiiij Aldermen so that the seyde officer may pesably be chosen Withouten colour of mayntenaunce, And whiche of hem to payen cs. in supportacion of the Walles of the Citee for his defaute. Item that non of the xxiiij Aldermen be the othe that he is sworn and charged xal speken sclaunderous Wordes of non felawe of his, Alderman, ne Wylem [sic] harm ne disese³ ne heuynesse bern ne reiowe hyndryng los ne disese fallyng to any of his felaws Aldermen in dishonour of the citee beforntseyd but if it so falle that any swiche persone of the xxiiij Aldermen be vicious or diffamed⁴ of untrewthe and Wil nought amende that defaute that he may be knowe gilty In that, thanne be it lefful be the ordenaunce to yche of the xxiiij Aldermen to enforme the Mair for the tyme beyng and the Aldermen er the most part of hem of swiche defaute and thanne the Mair and the xxiiij Aldermen er the most part of hem to redresse swiche defaute and correctyn as is most best and most wurshipful to the Estat of the xxiiij Aldermen. Item that yche of the xxiiij Aldermen xal yerly taken his clothyng Usynt and Werynt Whiche is ordeyned be the Mair and the Aldermen er the most part of hem and trewely payen thertore after the pryce be the Mair and the more part of the seyde Aldermen therupon set, And whiche of

¹ Stop.² Stirring.³ Discomfort.⁴ Ill reported.

hem refuse it and Wil nought beye it resseve¹ it and were it xal be strenghte of this ordenaunce paye for that defaute that 3ere that he refuse it xs. Item what persone of the xxiiij Aldermen be founden and proved defectyf and breke any of thise poynts abouenseyd er in any wise do contraye of any of thise maters and Wil nought stonden rewled ne gouerned be ordenaunces of the Mair and the xxiiij Aldermen er the most part of hem as it is befor declared that thanne be the assent of the Mair and the xxiiij Aldermen er the most part of hem swiche a persone of the xxiiij Aldermen doying contraye to thise ordenaunces be put out of the clothyng and counsell of the xxiiij Aldermen and from that tyme forth to ben discharged of the Estat of Aldermen and put out of counsell of the Citee. Item that alle the Aldermen and yche of hem in tyme comyng With Inne the seyd Citee of Norwich to ben chosen and mad upon her creacyon xal befor the Mair beforseyd and the Aldermen for the tyme beyng or the more part of hem make bodyly oth up on the holydoom trewly and obediently to halden kepen and obeyen Wyth al hys myght and konyng the ordenaunces and artikelys abouen Wryten als Wel as the Aldermen of this Citee at this tyme beyng the seyde ordenaunces to halden kepen and obeyen her bodyly oth han mad. In witnessyng of all thise premyses I Robert Baxter Mair of the said Citee of Norwich the seal of the office of Mairalte And we William Grey and Perys Brasyer Shirreves of the same Citee the seal of our office of Shirrevehod As wel as We Walter Danyel Robert Brasyer Richard Purdaunce William Sedeman John Mannyng John Asger Thomas Ingham Thomas Cok Robert Asger John Caumbrigge John Gerard William Grey John Shotesham Henry Pikyng Henry Jakes Simond Cook William Nyche John Wryght John Hokekyns Robert Dunston John Wilboye Richard Moneslee and John Coppyng Aldermen of the seyd Citee of Norwich our seales We han put to. Mad at Norwich the Wednesday in the feste of Seint Nicholas the Bisshop the 3er of the regne of Kyng Henry the Sexte after the conquest the thrydde.

[Inspeximus etiam tenorem cuiusdam sacramenti per Aldermannos Ciuitatis predictae in eorum profeccione per prefatos maiorem and Aldermannos editi ordinacionibus & restriccionibus predictis annexi in hec verba] "Thys here 3e sir mair and alle myn felas Aldermen that here ben that I from thys tyme forth as longe as I stonde in degre and Estat of Alderman Wyth Inne the Citee of Norwych to 3ow sire Mair and to 3our successours Maires of the seyd Citee xal ben obeyent, all constitucyons and ordinaunces Wyth here peynes and dependauncis in thise present3 endenturis comprehendit as wel as alle othir ordenaunces be 3ow and 3our Aldermen er 3our successouris er be the more party of hem for honour of the Estatis to ben mad and ordeyned Wyth myn

¹ Receive.

body and myn good xal holden and susteyne. And in ony office upon me in name of the same Citee to be leyd I xal me gouerne be the councel and advys of the Mair and Aldermen of thys same citee for the tyme beyng er be the advys of the more partye of hem, so helpe me God at the holy doom."

Inspeximus insuper quasdam ratificacionem approbacionem concessionem et confirmacionem ordinacionum et restrictionum predictarum per Maiorem & Communitatem Ciuitatis predictae similiter factas ut dicitur in hec verba: Universis ad quos presens scriptum tripartite indentatum peruenerit Nos Robertus Baxter Maior Ciuitatis Norwici necnon et tota Communitas eiusdem Ciuitatis salutem in Domino. Cum dicta Ciuitas in diuersis partibus et locis regni Anglie ponderose vocitatur reclamatur et reputatur ob defectum sane gubernacionis infra eandem preantea habitum Ac ea occasione dictus Maior Walterus Danyel . . . [all the names as above] . . . Aldermanni Ciuitatis predictae quandam formam quiete et sane gubernacionis inter [. . . ?¹] pro tempore existentes et successores suos infra eandem Ciuitatem decetero in perpetuum tenendam et habendam unanimes assensu suo fecerunt et ordinarunt prout in quodam scripto tripartite indentato sub sigillis eiusdem Maioris ac Vicecomitum Ciuitatis predictae et Aldermannorum predictorum sigillis coram nobis in Communi Congregatione nostra apud Guyhaldam dicte Ciuitatis tenta die Veneris prox' post festum sancte Lucie Virginis anno regni Regis Henrici sexti post conquestum tercio prelato cuius quidem scripti forme et ordinacionis datum est apud Norwicum die Mercurii in festo sancti Nicholai Episcopi dicto anno tercio plenius continetur, Eadem formam et gubernacionem communi assensu nostro corroborandas affectantes, quo citius residuum nostre Communitatis predictae exemplum bone gubernacionis decetero assumere poterit, Volumus concedimus et consentimus quod predictae gubernacio et forma eiusdem necnon scriptum predictum earundem forme et ordinacionis sub sigillis Maioris Vicecomitum et Aldermannorum predictorum sigillatum Ac omnia et singula in eodem contenta per nos prefatum Robertum Baxtere Maiorem ac integram Communitatem predictam pro nobis et successoribus nostris per presens scriptum nostrum tripartite indentatum ratificentur acceptentur approbentur et confirmentur illaque omnia et singula per hoc presens scriptum nostrum ratificamus acceptamus approbamus concedimus et confirmamus, Ita quod bene liceat Maiori et Aldermannis Ciuitatis predictae pro tempore existentibus et eorum successoribus omnia et singula premissa cum omnibus circumstanciis et appendiciis suis observare et ea auctoritate premissa iuxta formam et effectum forme et ordinacionis antedictae debite execucioni demandare. In cuius rei testimonium cuilibet parti huius scripti tripartite indentati sigillum nostrum commune Ciuitatis

¹ There is a hole in the parchment here.

predicte fecimus apponi Dat' in communi congregacione nostra predicta tenta in dicta Guyhalda die Veneris prox' post festum sancte Lucie Virginis et anno supradictis et anno Domini millesimo quadingentesimo vicesimo quarto. Nos autem constitutiones restriccionis sacramentum ratificaciones et confirmaciones predictas ac omnia alia in eis contenta rata habentes et grata ea pro nobis et heredibus nostris quantum in nobis est acceptamus approbamus ac dilectis nobis nunc Maiori Aldermannis et Communitati Ciuitatis predictae et eorum successoribus confirmamus secundum vim formam et effectum eorundem. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium quintodecimo die Novembris Anno regni nostri octavo.

Prestwyk.

Pro quadraginta solidis solutis in hanaperio.

Examinat' per Johannem Thoralbye & Willelmum Prestwyk clericos.

XLIII. Petition to the Bishop and the Earl of Suffolk to intercede with the King for the restoration of the Liberties of the City, 1443/4. (*Case 9 c.*).

To the wurshypful good and gracious lordis the Bysshop of Norwiche¹ and the Erle^a of Suffolk.

Please it your gracious lordshippis to be mean^s to our souerain lorde the kyng þ^t it may lyke hys hygnesse to restore hys desolate Cite of Norwyche to al maner libertees and ffraunchyses to þe same Cite be hys Noble progenitours graunted and also by hym confermed wiche be now seised in to hys handis. And that in þe seid restitution mai be limited the boundes of þe ffraunchyses of þe same Cite in Eschuyng of divisions and debates that haue fallen for the variaunce of the boundes before seid.

Item for as moche as it is not clerely expressed in noon of y^e Charters of y^e seid Cite y^t they should haue Court of pipouders,⁴ Werfore that it lyke the kyng to graunt theym a Court of pipouders w^t all thinges therto longyng lyke as other Citees haue.

Item for as moche as in y^e seyd Cite be fore this haue been but iiij wardes⁵ and euery of these iiij wardes be fore thys by hem self haue chosen vj ardimen and certen commoners for y^e Counsell of y^e toun, and the eleccion of y^e Mair and oon of y^e shirffes hath be mad by all

¹ Thomas Browne, Bishop from 1436 to 1445.

² He was made Marquis 14 September, 1444. This petition must be prior to that date.

³ Mediators.

⁴ "Dusty Foot Court," a court of summary jurisdiction held in fairs and markets.

⁵ Introduction VII. 1.

the Citezenys dwellers in y^e seid Cite and y^e other shirffe by y^e Mair and aldyrmen of y^e same Cite, y^e eleccion wherof bicause of y^e ences of gret multitude of people hath caused grete divisyon within y^e Cite, Wherefore y^t it please y^e kyng y^t within the same Cite may be xxiiij wardes and y^t euery ward shal chese be hem self an ardyrman and iij commoners for y^e commone counseill of y^e same Cite and y^t no commone Officere man of lawe ne attourney of y^e lawe shal haue ne voise of noon of y^e seid Elleccions and y^t noo man shal haue voise to y^e Elleccion of y^e seid Mair and shirffes but y^e seyde Mair aldirmen and commoners so chosen for y^e seid wardes, and y^t euery aldirman may haue charge and gouernaunce undere y^e mair to kepe y^e goode rule and peas wihtin his seid ward and so shal euery ardimans gouernaunce be knownen.

Item for certeyn misruled people which by¹ noughti men and of y^e which ye kyng may haue notice of by his comaundment y^t yer may be sum wey found by y^e kyng and his noble Counseill y^t suche persones set not y^e Cite in trouble from hen fforward and y^t all y^e remenaunt of y^e seid Cite may haue a generall pardon of oure souerain lord y^e kyng considering y^e grete ffyn y^t they haue maad to hym.²

Item where y^e shirreffys of y^e sayde Cite for y^e libertees and ffraunchisees graunted to y^e same Cite by fore thys tyme haue be charged of grete fee ferme upon there accountp and oure souerain lord y^e kyng the ffraunchises and libertees of y^e seyde Cite into hys handes hath seised erre y^t y^e sherreffes myght make levee or take any gret avaiill³ of y^e seyde ffraunchises and libertees and sithen y^t seyson⁴ y^e seyde Citezenys haue had no libertees ne ffraunchisees so they owe to payn no peny⁵ of y^e seyde fee ferme, this notwithstondyng proces is maad in y^e Esche quer for to rere⁶ y^e hole fee ferme of y^e Citezenys of y^e seyde Cite. Wherefore y^t it please oure souerain lord y^e kyng y^t as wele y^e shirreffes chosyn by y^e seyde Cite as y^e shirreffes there set by y^e kyng oure souerain lord may accompt by there othys or other wyse as may be thought be y^e Barons of y^e Esche quere resonable and not y^e seyde Citezenis of y^e seid fee ferme to be charged for their ffraunchises that they haue not.

Item y^t all maner certificattes and examinacions had maad by any part of y^e seyde Cite ayenst any othere part of y^e same Cite whiche be exemplied or not exemplied which haue causyd gret diuision whitin y^e seyde Cite may be had out cancelled and had for nought so y^t be goddes

¹ Be.

² Perhaps in 1443 after the Inquisition at East Dereham on 23rd. September, 1443. See Introduction VI. 2, note B.

³ Advantage.

⁴ Since that seizure.

⁵ So that they ought not to pay any penny.

⁶ Raise.

grace from hens forward yer shal no manere of diuision within ye seyde Citee.

Item memorandum y^t þer be not so many bretherhodes.

XLIV. Submission of the Citizens to the Bishop and the Earl of Suffolk. (*Case 9 c., with No. XLIII.*)

Be it knowe to al manere of men that wher as the Cite and holl Commonalte of Norwiche now late for defaute of gode gouernaunce of the same haue gretly offended a geyns þe ryght reuerend fadir in god þe busshop of Norwiche the priour and Couent of the Cathedrall chirche of Norwich For þe wheche offenses touchyng Spirituall correccion the seid Citee and Commonalte as in ther hole corperacion as childer of þe chirche repentante of ther offense submitte them holly to þe correccion of ther seid reuerend fader and lord to performe his iniuncions and mandementis in this partye. And as touchyng all other offenses and trespasses temporall don be the seid Citee and commonalte to the seid reuerend fader and lord or to þe seide priour and Couent or to the Abbot of seynt Benettes and his Couent. And touchyng all other variaunces accions and debates hangyng at thwene þe seid reuerend fader abbot and priour, and þe seide Citee and commonalte, The seide citee and commonalte of þe same in hey and lowe submitte them to þe correction wysdome and ordinaunce of þere seide fader and lorde And of ther ryght gracious and good lorde þe Erle of Suffolk, redy to take obeie performe and observe all þe ordinaunce and reule þ^t shall ben ordeyned be ther seide reuerend lordes or on of them in these premisses. And mekely preyn and besechyn ther seyde gracious lordes to preuyde for the tranquillyte and pees at twene þe seide chirche and þe seid Citee, And also for þe good reule and pees to be kept her after in þe seide Citee as may be thowt to ther lordshepes moste expedient to auoyde diuysion and debate now moued at thwene them and þe seide Citee and Commonalte. Tho preuysions and ordinaunces at all tymes thei shull accept obeie and obserue, and to þe whiche in hie and lowe thei submitte them. And þe seid Citee and Commonalte ordeyne and make ther attornes to sue and declare these premisses and all other behofe fulnesses and bosoin¹es of þe seide Citee on to ther seid lordes, And What Ever þe seide lordes or Eyther of them ordeyne or preuyde in this partie the seid attornes in the name of þe seid Commonalte to accept it. And þe seid commonalte bynde them and promytteth to accepte and holde ferme and stable all þe same ordinaunces and preuysion, And in Especiall to holde ferme and stable and kepe all such manere of suerte as þe seide attornes shall make in names of þe seide Commonalte in

¹ "Besoins," needs.

this partie in keepyng of þe same ordinaunce and preuysion. In Witnesse wherof to the presentes the Commone seal of þe seid Citie is annexed and Impressed.

XLV. Petition to the Marquis of Suffolk to plead for the restoration of the liberties of the City,¹ 1446-7. (*Case 9 d.*)

Please it unto þe good grace of þe full noble worthy and gracious lord Marquys of Suffolk to tendre þe kinges pouere Citee of Norwich and to be good and gracious meen unto our souerain lorde þe king þat it myght like his most noble grace to restore þe Citezeins of þe seid Citee to all such libertees priuileges custumes usages and fraunchises as were graunted² to þe Citezeins of þe same Citee by þe full noble and gracious Prince Henre þe iiijth somtyme kyng of England whom God assoil graunted and by our souerain lord þat now is confirmed. And also to graunte unto þe seid Citezeins suche libertees and priuileges as by articles. suyngly ben expressed þat is to sey :

First þat þe composicion made³ betwene þe seid Citee and þe Monasterie þere in þe tyme of dom. William Worstede Priour of þe same Monasterie stande ferme and stable bitwix þe seid Monasterie and þe seid Citee for euermore. The which hade shall norissh grete loue and cause grete rest and pees hereafter to be hade bitwene þe Monasterie and Citee aforseid.

Item þat from hensforth none arreste be made withynne þe seid Monasterie by playnte nor by writte by þe officers of þe seid Citee.

Item þat from hensforth none arrest be made by þe officers or ministres of þe seid Citee in Holmestrete Spittelond nor in any other place of þe fraunchise of þe priour of þe seid Monasterie but onely by writte.

Item þat for asmoch as þe feeferme of þe seid Citee is so ouer grete þat þe Shereves þere leesen⁴ þer in yerly xl*li* or more, It myght like our seid souerain lord to pardon hem þerof in releuyng of þe seid pouere Citee after her grete losses, and also to graunte þat all suche patentees and grauntes as Burgeys or any other hath in hyndryng of þe seid Citee may be repeled.

Item þat þere as now ben in þe seid Citee onely iiij. wardes, It

¹ The 2nd, 3rd, and 4th clauses of this Petition are so entirely in favour of the Monastic claims that we may suspect in them the hand of Bishop Lyhart, who was Lord Suffolk's chaplain and appointed Bishop in 1446 at his request. The citizens may have won his good offices by this compromise. See the Draft of Restitution which follows. This would place this petition in 1446 or early in 1447.

² The words "all such . . . graunted" are crossed through and "ye charter" is substituted.

³ In 1429. *Lib. Alb. Norw.*, fol. 45*d*.

⁴ Lose,

myght like your good lordship to diuide þeym into xij wardes and to ordeyn þerin xij Aldermen euery of them to be sworn and charged to answere for his owne ward, and also þat in euery of þe seid xij wardes be Conestables and a Bedill to helpe to kepe pees in euery warde. And þat euery of þe seid xij Aldermen for trespassse done in his warde ayenst þe lawe haue power to commytte the trespasssours to prison þere for to dwell til satisfaccion be made for his trespas and offence. And also þat euery of þe seid xij Aldermen hold his wardemote ones euery yeer atte leste and ofter yf nede be, and haue power to chastise mysdoers founden in his warde in manere and fourme as it is used in þe Citee of London.

Item þat in euery of þe seid xij wardes be chosen yearly w^t þe assent of þe Aldirman þerof for þe tyme beyng iiij persones of þe most discrete and notable persones þer in dwellyng for to be of þe common Semblee þei to be sworn as þe maner is for þe wele and profite of þe seid Citee. And þat yerely þe xlvij persones so chosen or other discrete persones in stede of þeym þat happe to be absent chosen be warned to come to þe Gild Hall, in þe day of þe dedicacion¹ of þe chirch of þe Holy Trinitee of [Norwich] in þe seid Monasterie to make þeir election of a Mair þere for þe yeer folowyng. At which day þe Mair and Aldremen for þe tyme beyng shull name to þeym of þe commone semblee ij persones þat han ben Shereues of þe seid Citee before tyme. Of which ij persones so named þe seid xlvij persones or þe more part of hem to chose one to be Mair þere from þe day of Seint Luke² þevaungelist þan next folowyng unto þe ende of an hole yeer, The same Mair takyng for his costes of þe common good xx*li*. And he nat to be taken again to be mair till iiij yeer after þe day of his discharge be passed. And þat yearly on þe day of þe Nativitee of our lady³ þe mair of þe seid Citee chese o⁴ sufficient persone And þei of þe common semblee a nother to ben shereves of þe seid Citee for þe yeer suyng, begynnyng at þe day of seint Mighell.⁵

Item þat⁶ all þe gildes of þe seid Citee from hensforth be putte doune and þat a Reule hereafter he had amonge Craftes, wher of som ij Craftes and som ij craftes for scarstes of peple be drawen and ioyned into one and som one craft be by it self a craft. And þat þe men of euery craft yerely chese w^t in þeym self ij discrete persones to her wardeyns They to take her charge of þe Mair and Aldermen to reule þeir craft as þei

¹ 24th September. The "Translation of Saint Edward the King" (13 Oct.) had been written and crossed through.

² 18th October. "Symond and Jude," 28th October, was first written and crossed through.

³ 8th September.

⁴ One.

⁵ September 29th.

⁶ "Ye Gilde of Saint George and all other gildes," was first written and afterwards crossed through.

will answer for her feliship to þe king and his ministres to her power or els to warne þe Mair of þe defautes yf it passe her power to corecte it as þe good usage and custume of London is.

XLVI. Unexecuted Draft of Restitution, 1447.¹ (*Case 9 d.*)
[Abstract of Latin Original.]

Recital that after judgment of Sir John Fortescu at Thetford against the Mayor Sheriffs and Aldermen of Norwich for default of good government, the liberties of the City had been seized into the King's hands in accordance with a Statute of King E. III. and still so remained and now the Citizens and Commonalty had humbly supplicated for their restitution;

The King moved by the intercession of Walter Bishop of Norwich and William de la Pole Marquis and Earl of Suffolk restores to the Citizens and Commonalty and the heirs and successors of the said Citizens all the liberties &c. as freely and fully as they had enjoyed them before the seizure without hindrance.

Also the King grants to the Citizens all free farms and other profits formerly granted to them, on render of the same sum and no more as they have hitherto rendered.

Then follows an Inspeximus of the Charter of Henry V. (not recited), with the King's confirmation to the "now Citizens and Commonalty" except in the number of Wards Aldermen and Common Councillors.

Non-user shall not bar their privileges except on these points. Although King Henry V. had granted to the Citizens to elect 24 Aldermen and 60 Common Councillors, and to all resident Citizens, who wished to be present, to elect a Mayor on May 1st.

The King at the special supplication of the said Citizens and Commonalty and with their assent and consent grants to the said Citizens for the future that they shall in place of their 4 Wards have 12, Consford, Berstrete, Nedham, Estmancroft, Westmancroft, Newport, Westwyk, St. Gregory, St. Andrew, St. George, Coslanye, and Fibrigate, and 12 Aldermen to be placed in the 12 Wards.

Also a Recorder to be chosen by the Mayor Aldermen and Common Councillors who by word of mouth or otherwise shall record the pleas and judgments held in the King's courts before the Mayor alone or the Mayor and Aldermen.

Also 48 Citizens for a Common Council and 24 Constables, 2 in each Ward.

For the election of Mayor, the Mayor shall summon the 12

¹ See Introduction VII. 2.

Aldermen, 48 Councillors and the Constables of the Wards to meet at the Guildhall. The Aldermen shall nominate 2 persons who have already served as Mayor or Sheriff (but not Mayor for 3 years past) and one shall be chosen for Mayor by the Councillors and Constables. In case of equality the Mayor's vote is to count for 2. The Mayor to hold office from Michaelmas for 1 year.

For the election of Sheriffs, the same body shall meet on the Feast of the Nativity of the Virgin. The Mayor and Aldermen shall choose 1 and the Councillors and Constables the other, to serve from Michaelmas for 1 year.

For the election of Councillors and Constables, each Alderman shall on Monday after the Epiphany summon all the citizens of his ward who are resident householders by his bedell to an appointed place, when they shall choose separately for each ward 4 resident citizens for a Common Council and 2 resident citizens for Constables. The names of the elected Councillors and Constables to be delivered to the Alderman the same day and by him to the Mayor within 8 days. The 48 citizens after being sworn by the Mayor shall be for a Common Council of the City with full authority to finally order everything touching the common profit of the city such as that enjoyed by the Common Councillors of the City of London.

If a Mayor dies his predecessor shall act for the remainder of the year.

Every Alderman duly elected shall hold his estate and degree for life except for reasonable cause. If an Alderman die or is removed the Mayor within one month shall summon the citizens of that ward to the Guildhall. They shall nominate 2 persons of whom the Mayor and Aldermen shall choose one. The Aldermen shall be charged, removed and discharged for such causes, &c. as the 24 Aldermen of London. In case of an unqualified person being nominated the Mayor Aldermen and Councillors may choose another as in London. An Alderman to be discharged of his office may be discharged by the Mayor and a majority of the Aldermen.

Every Alderman shall have a Bedell to execute his orders, punish evil doers and commit them to prison as the Aldermen of London have.

Every Alderman shall once a year hold a court called a Wardmote in his ward. The fines and profits to be collected by the Bedell of the ward and given (without account rendered to the King) to the use of the Commonalty of the City.

The citizens and craftsmen of every mistery and craft, with license of the Mayor, may wear a livery for the honour of the city but not any other society's livery on pain of making fine with the Mayor and Aldermen. They may yearly choose for each mistery or craft 1, 2 or

4 masters according to the number of its members. The Mayor and Aldermen may correct the masters or remove craftsmen from the livery.

The Mayor Aldermen and Citizens may hold a market every day and, through the Sheriffs, a Piepowder Court. Cases of doubt may be taken to the Guildhall before the Mayor and 2 Aldermen who may determine them or send them back to the Sheriff to be tried in his court, as is done in London.

If any error in records or rendering of judgment in the Sheriff's court be complained of, the Mayor, Recorder and 2 Aldermen may enquire and correct such errors on a King's writ as is done in London.

The Mayor and Citizens may have assay and assize of bread, wine, beer, measures, flesh, fish and all things belonging to the office of the King's Clerk of the Market of his household without any interference; may punish all offenders and take all profits for reparation of bridges, walls, &c.

And also scrutiny of all nets, weirs, fishing, &c., in the waters.

In all jurisdiction connected with the Justiciary of the Peace the Citizens shall have all their liberties as freely and fully as they ever held them.

And further, the Mayor, Recorder, and all Aldermen who have served the office of Mayor shall be wardens of the Peace to carry out the statutes of Winchester, Northampton, Westminster and Cambridge, &c. [as in Commission of the Peace].

The Mayor Recorder and at least 2 Aldermen besides (the Mayor and Recorder to be of the Quorum) shall have power to enquire by oath &c., when it seems fit to them concerning all felonies &c. . . . and to hear and determine . . . and to punish offenders.

The Citizens shall have all fines, issues &c. from all matters &c. adjudged before the Mayor, Recorder and Aldermen with the assessments and levying of the same, treasure trove in the City or suburbs, waifs and strays &c.

And also all that in such cases may be adjudged to the King.

And the Citizens shall have all common soils, purprestures¹ and profit in all wastes, commons, streets, ways, with right to put themselves in possession as they will and have due allowances thereof in all our Courts.

If Writs of Certiorari &c. are addressed to the Mayor Recorder or Sheriffs they need not return the actual records &c. but the tenor or transcripts.

The Citizens may choose all their sub-Sheriffs, Clerks and Sheriffs' bailiffs for whom they are willing to answer.

¹ Encroachments allowed to continue on payment of a quit-rent.

These concessions are not intended to prejudice the Sheriffs who shall have all their rights as hitherto.

The Mayor Recorder and Aldermen are not to suffer from non-user of any liberty.

XLVII. Oaths of Officials in the Fifteenth Century.¹

(Liber Albus Norw., fol. 182 d).

1. The charge of them yat ben chosen for y^e Comoun Counsell.

Ye xal swere y^t y^e xal be trewe to oure soureingne Lord y^e Kyng and his eyrys and redily come at y^e oure whan y^e be somond to y^e comoun counsel of y^e Citee, but y^e ben resonably excused, upon peyn therupon ordeyned, and good and trewe counsel y^e xal yeve after your wyt and conyng and for nomannys favour y^e xal not mayntene non singler profite ayens y^e comoun profite of y^e Citee. And after y^e ben comen to y^e comoun counsel thens y^e xal not goo w^t oute a resonable cause, er ellys y^e Maires licence, till y^e Mair and his brethren goon. And yat is seyde in y^e comoun counsel and owght for to be kept counsell y^e xal it counsell kepe and non yer of discoure.² So God you help and alle his saintes.

2. The Othe off the Comon Speker.

Ye shall swere y^t you indifferently w^tout eny affeccon ffavour or corrupcion shall execute your office off comon speker as well in all assembles as in the eleccion of the Mayor or Shireff ffor the yeere next ensyng [sic] accordyng to your knowlege witte and connyng and by non couyn male engyn³ or collusion shall make nomaner off mean to the comons in the tyme of the eleccion whereby the frank and ffree eleccion of the comones there beyng presente may in any wise be violat altered or chaunged contrary to the true ordinaunce of the seid eleccion So helpe you God &c.

3. The Comoun Clerk.

3e schall swere that 3e schall in the office of Comown Clerk wyth in the Cite of Norwich and the liberte of it as wele as in office of Clerk of the pees and escheterie wyth in the Cite euenly and treuly to 3our power wyth owtyn parcialte 3ow be haue and gouerne, trewe warantis entreis and recordes up 3oure cwnnyng make, the profight of the King and of the Meire for the tyme beyng as wele as of the Commonalte of þe seyde Citee wayte and endende⁴ and here counsell kepe up 3oure myght. So help 3ow God atte the Holy dome.

¹ For comments on these oaths see Appendix to Section VII. of Introduction. They are here arranged in an order corresponding with the notices in that appendix.

² Discover nothing thereof.

³ Evil design, Fr. *mal engin*.

⁴ ? Watch over and be intent upon.

4. The Maires charge of y^e Mairalte.¹

3e shall swere that well and lawefully to 3our cunnyng and powere 3e shall susteyn executen and mayntene þe lawes libertes fraunchises gode customes and ordenaunces of þe Cite of Norwich and þe pes and tranquillite in þe same Cite as moche as to 3owe be vertu of 3oure office apperteneth And þat 3e shall make dewe serche of all vytaill and of all oþer þinges that longen to 3our office as often tymes as it is nedefull to be don be 3our discrecion or whan 3e be required for þe Common profite of this Cite and þe Cuntre. And that 3e shall don dewe and open and discrete correction and redresse uppon þe defautes founden after þe forme of þordenauces þeruppon made.² Ant þt 3e shall do justice and egall right as well to þe pore as to þe riche. So God 3owe helpe and all seyntes.

5. The Meires Charge for y^e Eschetrie.

3e xall swere that wele and truly 3e schall serue owre lord the Kyng in the office of Meiraltie in the Cite of Norwych. And the same Cite 3e xall kepe sewyrly and sauflly to the profight of owre lord the Kyng and of his eyres kynges of Ingelond and the profite of þe Kyng 3e schall doo in alle thinges that longith for 3ow for to doo. And alle the rightis of the Kyng as moche as longyth to the Coroun in the same Citee truly 3e schall kepe ne 3e schall not assentyn to discrese ne to non concelement of rightis of Fraunchise of the Kyng. And be that qwerof 3e may knowen the rightis of the Kyng or of the Coroun be it in londys or in rentes or ell in Fraunchises or in Sewtes conceled or restreyned 3our peyne 3e schall puttyn to þat to repelyn. And 3if 3e mowe nought don 3e schull telle owre lord the Kyng or ellys to summe of his counsell of qwich 3e arn certeyn that schull telle the Kyng. And that truly and rightfully 3e schall trete the pople of yowre bailie. And do right to iche man as well to a straungere and to þe pouere³ as wele as to the riche in as myche as longith to 3ow for to done. And that for heynesse ne for richesse ne for pouer nesse ne for favour ne for hanere⁴ wrong 3e schall doon to no man ne no mannys right disturbllyn ne no thing taken qwerfore owr lord the Kyng schall lese or be qwich right schuld be destroyed And in alle thing þat longith to the Meyre of this same Cite to be doon as well in gouernaunce of vetaile as in all othere thingis well and truly 3e schall haue 3ow. So God 3ow helpe atte the Holy dome.

6. The charge for the Maires sergeantz.

3e shall swere that 3e shall weel and truly seruen the Mayre in the

¹ Before this oath is written "Remembre. The othe of the Supremytie ffirst to be goven A^o XXXV. domini Regis Henrici viij capite primo." The same notice is added before the oath of the Sheriffs.

² Added in margin "and to be made."

³ Poor.

⁴ ? hate.

Office of sergeaunt and truly diligently and besily attenden to hym at all tymes for his wurshipp and wurshipp of the Cite 3e shall also ouersen the marketts of corn fflessh fyssh pulterie and oþer vitayll and alle maner of forestalleres of any maner vitayll fresshly founden 3e shal arresten and brynge hym to prison or atte leste enforme the Mayre of suych forstalleres, 3e shall also suffren no bakeres to bye whete be forn x of the belle ne cook bye no fressh fyssh ne wylde foule be forn ix¹ of þe belle as the ordenaunce of this Cite is. And all other thynges wurshipfull to þe Mayre and profitable to þe Cite 3e shall don with all 3oure cunningg and powere wiþ oute fauour or rygour, 3e shall also do truly 3our offys in takyng of bred whan 3e be sent þefore with oute fauour or informacion or warnyng to the bakeres in any wise whan þei shall be serched and þ² 3e shall due somounys make unto þe personys chosen for Common Counsell and to any officer³ of the Cite or to any oþer persones whan 3e be assigned þerto and trewe certificat to þe Mayre or his depute þerof returne and þe counsell of þe Maire Aldermen and of þe assemble 3e shall kepe and well and truly all þese articles before reherced and all oþer þinges apertenaunt to 3oure office 3e shall duely and truly obseruen and perfourmen. So help 3owe God and all seyntes.

7. The Constables Charge.

The Meyre of the Cite Chargeth 3ou on the Kyngis behalue⁴ yat 3e schall sekirly⁴ kepen the pees wyth Inne 3oure ward wher y^e be constabill. And yat y^e shall not suffren wyth Inne 3oure for seyð warde any Congregacyonis ne Insurreccyonis be day ne be nyght wythowtyn specyall byddyng of M. Meyre qwich that may turnen in deregacyon of the Kyngis estate And of his Regalte. And 3if ony man presume hymself to doon the contrarie of this Charge yat he be arrested with alle 3oure power as a rebelle a 3ens the Kyng and þe good pees of the Cite And bringyn hym to the Kyngis preson. And 3if 3e be nought myghti to maken this areste 3e xull Comyn and Compleyne 3ow to the Meyre for to strenthe 3ow azens alle suche rebellis wyth Inne the Citee. And þat 3e don deuly this Charge up on peyne of forfeiture of 3our goodis and 3oure bodies to preson to be atte Kyngis will.⁵ And that 3e arresten alle maner of nyghtwalkers baratours and mysdoers common tenyse players and hasardowris⁶ ayens the Kyngis pees as welle be vertu of 3our office as be sewte of partye.⁷ And þat 3e 3eue men

¹ "viiij" was written and crossed through.

² "Office," the final "r" is an addition.

³ "Of Ingelonde" crossed through.

⁴ Crossed through and "unto your power" substituted.

⁵ All this sentence is crossed out.

⁶ Added in later hand, "bowlers, valyaunt and myghty beggers."

⁷ Added later, "and bringe them to prison or elles giff Master Meyre knowledge thereof."

charge for to kepen wach in yowre warde¹ in alle the haste 3e may at this tyme and contenwe² as it hath ben accustomed up on peyne there up on ordeyned in the Citee. And that y^e schall execute all commandementes and preceptes geven you by M. Maier as well for the peace as for eny other thing.³ And that 3e schall deuly and truly perfourme all these poyntis afornseyd 3e schall doo 3oure deuer. So helpe 3ou God atte the holy dome.

8. Sacramentum Recordatoris.

Y^e shall swere y^t y^e shall in þe Office of Recorder with Inne þe Cite of Norwich and þe liberte of it as well as in þoffice of Justice [of] pes wiþ in y^e same Cite lawe fully to your powere behaue you and good trewe and holsom counsell yeve to þe Maire and Aldermen of þe Cite in use and execucion of gouernaunce of comoun right as well in Offices of Mairalte Justice of Pes and Eschetrie acordyng to þe lawes of þe lond and lawes and goode customes of þe Cite after your witte and cunning wiþ oute favour or affection of any persone and þis y^e shall on your behalue duely kepe. So help you God and his seyntes.

9. The Schreues Charge.

3e schall swere that 3e schall well and truly seruyn owre lord the Kyng in the offys of Schrevehood in the Cite and the Counte of Norwych suburbes hamelettes procintis and Circuites of the same Cite and Counte And truly buxumly and rightfully 3e xall trete the peple of the same Cite and Counte and alle other peple in that that touchyth 3oure office. And 3e schall do right as wele to the pore as to the riche and ben indeferrent be twix partye and partye in all that longith to 3our office. And 3e schall for promysse ne for favour ne hate don ony thing to ony man that myght ony right disturbe or letten. And 3e schall truly seruyn the wretys of owre souereign lord the Kyng up 3our wyt and power and the Comaundementis preceptis and warantys of the Meyre of the Citee and in that þat touchyth 3oure office 3e shall seruyn and obeyen. And alle pleyntes that the Meyre sendith fore 3e schall delyuer to hym and non with holden. And alle maner of Ryghtis of the Kyng and þe Cite qwych ben appurtenaunt to 3oure office and alle othere thingis dew to the Kyng and the Cite⁴ 3e schall susteyne kepin and Mayntene as it hath ben susteyned kepid and maintainyd be forn þis in old tyme. And non of hem lesyn be 3owre defaultys as 3e will ansuere therfore to the Kyng and qwyte the Comoun a 3ens the Kyng.

¹ Added, "and to sette out water."

² Here was written and crossed out "At the leste to lamesse" (1 August). The charge would be given by the Mayor to the Constables newly elected on 3 May. This would leave about three months to Lammas Day, when perhaps new watchmen were appointed.

³ This sentence is added at the end in an early hand.

⁴ Added later, "and accordyng to y^e ordenaunce yeruppon made."

And no man lete owt of preson qwyth is sent in to preson be the Meyre wyth owtyn assent or specyall comaundement of the Meyre. And 3e schall well and truly the lawys Lybertes and good Custumes and ordenaunces of the seyd Cite kepen and Susteynen in as moche as to 3ow longyth. And 3e schall truly doon or make to be don Jugementis and execucyon of the Verdytes of 3our Court w^t owt sparing of any man. And þ^t 3e schall holden 3owr schreves turnes opynly in the Gyldehalle as the Schreve of Norfolk and othere Schreves doon in here Countees wyth Inne the reme of Inglond up the fourme of the statute. And that 3e schall no men putten up on the enquestis that xall be taken for the Schrevis turn but goode men and sufficient þ^t ben men of good name and good fame. And that 3e schall make proclamacyon for 3oure turn in diuers placis wyth Inne the Wardis owt of qwom the enquestis xall be taken atte lest iiij dayes befor, undir this fourme, that alle maner of men that haue for to done atte the Schreuy's turn and there ony thing wil seyen for owre lord the Kyng er for hym self, that they ben atte Gildehalle Suche a day as 3owre turn is set to ben holden and He schall ben herde. And that 3e schall seen þat the enquestis that arn for to be taken be twix þe Kyng and partye, and be twix partye and partye, xall be taken endeverently wyth owtyn ony denominacion of eyther partye, be mowthe or be bylle, be the parties or ony other in her name.¹ And 3e schall doon 3our Undir-Schreve and all 3our other officers make such othe as to hem longyth that well and truly they schall don her offise wyth owtyn extorcyon or wrong doying to ony man, And in especiall for the Enquestis þ^t arn to be taken be twix partie and partie þat they maken enquestis ne putte non names in non Enquestis atte denominacion of partye be mowthe ne be bylle ne no men but suche as he supposeth xuld ben indeferent men. And that the ferme of owre lord the Kyng for yowr time 3e xall payen and a quyten the forseyd Citee and the Comunaltie of the same. And these poyntis a forn rehersed þ^t 3e schall deuly and truly obseruyn and kepyn 3e schall doo 3oure deuer. So help 3ow God atte the holy dome.²

10. The Charge of y^e Undirshirreve.

3e shal swere þ^t y^e shal the office of Undershirreve w^t ynne þe Cite of Norwich and þe libertees of the same manerly³ and truly to your power do and execute withoute extorcion or wrong doying to eny persone, true entrees recordes and retornes upon your witte and connyng make, the libertes fraunchises and custumes of this Cite to youre power

¹ Added later in margin, "And that y^e in your proper person shall be abydyng upon your baylewyk for the tyme y^e shall be Shiriff of the seid Cite."

² The last words are crossed through and in a later hand is written, "all sayntes the holy Evangelystes."

³ "Well" is substituted later.

mayntene and susteyne the profites of youre Maisters the Shirreves of this Cite diligently awaite and entende, and in all other thyngges apperteynyng to youre office y^e shal truly by have yow. So God helpe yow and alle seyntes.

11. The Sergeantes Charge of y^e Shirreues.

3e schall swere that 3e schall truly this 3ere serve the Meyr and the Schrevis in her Courtes in the office of Sergeauntrie, truly all maner of pleyntes to 3ow 3ovyn longing to the Courte entren and executyn as hastily as 3e may, and as many pleyntys as 3e may resceue truly bringyn into þe seid courte and no pleynt consele ne beselyn take be 3ow or in 3oure name. Alle Somonys attachementis distresses preceptis warantis and Grene Wex and alle maner processe and execusyonis of the seid Cougte truly seruyn and executyn and Certifien and non endes make be twen party and partye wyth owtyn the seid courte wherby¹ þe courte shall lose any right or profit. Also non panell maken atte non nominacion of partye ne non man empanell be twen party and partye but they þat ben endeffereent men, in no wyse ne no man woman ne childe aforne [? y^e] xall warden² of no pleynt ne processe þat is or xal be ageynes hym or hem in the same Courte but be autorite and Comaundement of þe seid Courte ne non disceyt doon of non processe longyng to the seid Courte. At alle the Cougtes holden in the Gyldehalle 3e xall ben present in 3our propre persone but 3if 3e be comaunded otherwise be 3oure maistres or be the undirschereve. Also no man laton out of 3owre warde to Maymprise after 3e have arested hym but forthewyth ledyn hym to the Gayle or to 3owre Meystris or to the undirschreve. And 3e xall at alle tymes necessarie be present and redy to do seruyce to 3owre meystres, and truly wayte and attende and kepe the avayle³ and counsell of the Courte at alle tymes In alle that 3e can or may. And alle these poyntis aforne rehersed 3e xall deuly and truly kepen and perfourme. So helpe 3ow God atte the Holy Dome.

12. The Othe of the Attornies in the Shreves Court within the Cittie of Norwiche before the Mayour (*Lib. Alb. Norw., fol. 176*).

You shall swere that you shall well and trewly exercise the office of an attorneye wth in this Cittie and courte wth out taking excessyve fees. Ye shall be trewe and gyve trewe counsaill unto your Clyaunts according to your witte and connyng. Ye shall not pleade noo false ne delatarye pleas nor plead any pleas to put the Courte out of Jurisdiction otherwise thenne the trewthe of the mattier and cawse will serve, according to your witte and connyng. You shall not gyve any evidens to Enquests takin betwixt partie and partie in any cawse or action otherwise thenne you shall be enformed by your Clyaunts or by suche

¹ The rest of this sentence is added later.

² Make them aware of.

³ Fr. *availe*, profit.

other persone or persones as shall witness the truthe of the mattier to your knowledge. You shall be obeydent to the Shereves and Courte in all things that be lawful. And y^e shall gyve your attendaunce at the King's Courts of Oyer and Terminer, the Gayle Delyverye, the Quarto Sessions to be holden wth in the seide Cittie, wthout cause resonable. And also y^e shall use and exercise your seid Office of Attorneye wth in the seide Courtes in all other cawses and mattiers perteyning to an Attorneye well and trewly according to your witte and knowleage and upholde and maynteyne the jurisdiction of the same courte to your best power. So healpe you God and all saincts and by the contents of this booke.

13. The Tresorers charge.

3e schall swere that 3e xall be trewe to the Comoun and that 3e schall truly chargen 3ow and dischargen 3ow of alle parcell be you receyued. And 3e schall ouer seen alle maner thing that longeth to 3e Comown to haue of right. And that 3e schall make Dewe Serche twyes in the quarter wyth the Survegours or on of the Surveours or atte the leste wyth 3e Clerk and the Comoun seriaunt. And 3e schall don entren abouen on the Gyldehalle on the Saterdag alle 3e Costis don in the woke be forn. And that 3e schall no Cost don in no place wyth owten assente of the surveours abouen xls. And that alle artificers and laborers xull be payd abouen on the Gyldehalle on the Saterdag in Mone but in no maner Chaffare as it haith ben afore tyme. And this 3e schall as deuly and as truly don as 3e xuld don for 3our own goodis. So help 3ow God at the Holy Dome.

14. The Comoun Serjaunte.

3e schall swere that 3e schall make trewe leve of alle the summes owyng or dewe to the Comown in the ende of euery quarter of the 3ere or wyth Inne iiij wokes next foluyng euery quarter of the 3ere. And thos summes un to the tresurers of Norwich wyth owtyng long turieng or wyth Inne viij wokes after the ende of euery quartere of the 3ere 3e schall delyueren and paien. And 3if there be ony tenaunt un to the Comown that be suspecte of euill payment of his ferme for a quarter not hauyng sufficient plegis or valu for to paien his ferme, than 3e schall in the ende of euery quarter of the 3ere as often as it nedith or w^t Inne iiij wokes after the ende of euery quarter wyth owtyng more tarieng suche a tenaunt distreyne and the distres so taken to wyth holden to the behoofe of the Comown to the tyme that the seid ferme w^t the arrerages be fully payd and the Comoun fully satefied. And 3if suche a tenaunt or persone haue not a sufficient Distres than 3e schall at the ende of ony quarter of the 3ere or wyth [in] iiij wokes next folnyng that person taken and attachen be the body and him leden to the preson of oure lege lord the Kyng ther to abyden til the tyme the Comown be satefied. Also that 3e schull ben buxum and obeydent

as well in worde and in dede to the Meire Surveyours and Tresorers¹ of the Citee in all lefull Commaundementis. And that 3e schall non harme don to the Comon but yat 3e schall restoren, ne non knowen ne purposed to be don of non other persone ne persones but that 3e schall of tho persones or persone 3eue to the Meyre surveyours or tresorers² warnyng and knowyng. And the goodis of the Comown besily 3e schall gaderen and truly kepen and truly ther of 3eue answer. And 3e schall not lete to ferme non stalle nen howse longyng to the Comunalte ne 3e schall not encrescen ne discreesen no tenauntis in her fermys with owtyng assent of the surveyoures and tresorers. And alle these aforeseid deuly and truly 3e schall fulfille and doon. So help 3ow God atte Holy Dome.

15. The charge of them that ben made Citezens.

This here 3e Meyre Shereves and y^e Common Counsell that I xal from this day forward y^e fraunchise and liberties of this Cyte of Norwich mayntene and sustene wiye my body and goodes, nomannys goodes avowe but myn owyn wher thorowe y^e Kyng or the comoun myght lese tol or custom or any oyer right, buxum ben to y^e Mere and to alle oyer governes yer of for y^e tyme beyng, truly paye myn taxes and my talliaiges, alle offices to y^e which I xal be chosen,³ them and iche of them accepten dilligently and non refusen, all oyer charges lefully leyde uppon me and alle ordenaunces made or to be made wiye Inne y^e Citte⁴ obeyen and perfourmen from yis day forward. So help me God atte the Holy Dome.

16. The Coroner's charge.

3e schall swere that 3e xall wyth Inne the liberte of the Cite of Norwych as well be water as be þe lond qwere any persone, man woman or child, is founden ded, þat is to seye drowned slayne murdred or soddeently dede or oþer wise be misfortune, upon lawfull knowynge unto 3ow to be made, un to þe same dede persone approche and neyghen and up on the syght of þe dede persone diligent enquerre for to make, and in appellis exigendis and outlawries wyth Inne the same liberte to ben hadde as well as of the seyd inquierres trewe recordes to make.⁵ And in all þat apperteyneth to the office of Coronors with in the seid liberte 3e xul truly do 3our douere to 3our powere wyth owt fraude of the Kyng and of the Citee of Norwych. So help 3ow God atte the Holy Dome.

¹ This word is crossed through and "Chamberlains" added in a later hand.

² "Chamberlains" substituted.

³ Added in another little later copy, "in the City or in my crafte."

⁴ Added as above, "or in my crafte confermed by the Common Counsell of y^e Cite."

⁵ Added, "and y^e recordes of Inquieres to y^e Chaumberleyns of y^e Cite delyuer."

XLVIII. Names of the Subleets and Small Wards.

1. From the *Leet Roll of 14 Richard II.* (1391):—

Conesford, Berstrete, St^t Stephen, St^t Peter de Manecroft, St^t Gregory, St^t Giles, St^t Andrew, St^t George, St^t Michael, St^t Clement. All called "Leets."

2. The *Composition of 1415.*

In the Ward of Conesford 2, viz: Conesforde, Berstrete. In Ward of Mancrofte 3, St^t Peter de Mancrofte, St^t Stephen, St^t Giles. In the Ward of Wymer 3, St^t Gregory, St^t Andrew, St^t George. In the Ward Ultra Aquam 2, Coselanye, Fybriggate.

3. From *1st Book of Chamberlain's Accounts.* 24 and 25 H. VI. (1446), last entry.

Conesford, Berstrete, Nedham, Newport, Westmancroft, Estmancroft, St^t George, Westwyk, Fibriggate, St^t Gregory, St^t Andrew, Coslayne. See the same names in No. XLV.

4. From an entry in *Lib. Alb. Norw.*, fol. clxxvii. (1451?).

"MEM. That on the 20th day of August in the 21st year of the reign of King Edward the 4th by precept of Robert Aylmer at that time Mayor of Norwich Geoffrey Spirleng clerk of the Mayoralty and Commonalty of the said City made a scrutiny how the agistment [agistamentum]¹ for the repair of the walls of the city is set out [se extendit] and by what Aldermanries they ought to be repaired and how they have been wont [to act] in times past And upon this a certain paper writing [paperum scripture] of Robert Heigham formerly clerk of the city is found, made in the time of Ralph Segryme formerly Mayor of the City,² by which the aforesaid Agistment is testified in the form which follows in the native tongue." The Aldermanries named are:—

South Conesford, North Conesford, Berstrete, St^t Stephen, St^t Peter de Manecroft, St^t Giles, West Wymer, Middel Wymer, Coslany, Colgate, Fibrigge, Est Wymer.

5. The Tenth of the City (1453).³ [This follows a statement of the amount of the 2 Deductions the 2nd of which was in June, 1453, 31 Henry VIth (see *Bk. of Pleas*, fol. 3 d)].

After stating the amount of a Tenth in each of the 4 great wards, in all £95 4s. od., it proceeds:—

"NOTE. The City of Norwich is divided into 4 parts [quadripartita] in the following wards, viz., Conesford, Mancrofte, Wymer and Ultra Aquam.

¹ Apportionment and Assessment.

² Mayor in 1451.

³ From *Old Free Book*, fol. clx.

"Within the Ward of *Conesford* are contained 3 Aldermanries which are divided in the form following, viz:—

"One Aldermanry from Trouis Bridge to the Church of the Convent of the Austin Friars within the bounds of which are contained the street of Trouis, the Priory of Carrowe, the parish of St^t James there, the parish of St^t Peter de Southgate, the parish of St^t Edward, the parish of St^t Etheldreda, and the parishes of St^t Clement and St^t Julian. This Aldermanry is called South Conesford. The sum of its Tenth is 60s. 4d., whereof upon Trouis 12s. South
Conesford.

"The 2nd Aldermanry there from the said Church of the Austin Friars to a certain stone cross situated over against the great gates of the Cathedral Church of Holy Trinity of Norwich, and within its bounds the underwritten parishes are contained; the Church and precinct of the Austin Friars, the parish of St^t Peter de Permontergate, the parish of St^t Vedast, the parish of St^t Mary of the Marsh, the Church and precinct of the Friars Minors, and the Parish of St^t Mary the Less. This Aldermanry is called North Conesford. The sum of its Tenth is 72s. North
Conesford.

"The 3rd Aldermanry there from the Parish of St^t James of Carrowe to the bounds of the parish of St^t Stephen. Within its bounds the underwritten parishes are comprehended; the parish of St^t Nicholas called Brakendale, the parish of St^t Sepulchre, the parish of St^t Bartholomew, the parish of St^t Michael, the parish of St^t Martin, the parish of St^t John at the postern gate [januam] of the Castle, and the parish of All Saints. This Aldermanry is named Berstrete. The sum of its Tenth is £6 os. 4d. The street of Trouis is assessed to the lord King's Tenth at 12s. Berstrete.

Sum total of the Ward, £12 12s. 8d.

"Within the Ward of *Mancrofte* are contained 3 Aldermanries which are separated in form following, viz:—

"One Aldermanry which is called the Aldermanry of Nedham the bounds of which are the precinct of the parish of St^t Stephen to the cross. The sum of its Tenth is £7 8s. 4d.. Nedham.

"The 2nd Aldermanry is contained within the bounds of the parish of St^t Peter de Mancroft with the Chapel in the Fields with all the land within the walls. This Aldermanry is called Mancrofte. Its Tenth is £14 15s. 10d. Mancroft.

"The 3rd Aldermanry comprehends the parish of St^t Giles by the whole precinct of the said parish and is called the Aldermanry of Newport. The sum of its Tenth is 67s. 2d. Newport.

Sum total of the Ward, £25 11s. 4d.

"Within the Ward of *Wymer* also are comprehended 3 Aldermanries which are divided in form following, viz:—

"One Aldermanry from a certain cross situated in the middle of the high way outside the gates of Westwyk towards the common watering Westwyk.

[adaquacionem] commonly called Nether Erlham Watteryng to a cross in the city called Shermanhille, within the bounds of which the under-written parishes are contained, viz.: the parish of St. Benet, the parish of St. Swithin, the parish of St. Margaret, the parish of St. Laurence, and the parish of St. Gregory. This Aldermanry is called Westwyk. Its Tenth is £11 14s. 5d.

"The rest is lost."

According to the summary of the 4 Wards at the commencement, the other 2 Aldermanries in the Ward of Wymer were Wymer, £15 18s. 2d., Estwymer, £9 11s. 0d. Sum total of the Ward, £37 3s. 7d. Of Holmestrete, 26s. 8d., it is said, "It is within the said Ward but it is not contained in the said sum. It answers by itself according to the royal composition of King Edward I."

In the Ward *Ultra Aquam* the Aldermanries were Coselanye £7 8s. 4d., Colgate £4 1s. 4d., Fybryggate £6 0s. 1d. Total of the Ward £17 9s. 9d. Of Normanneslond 20s. is said as above of Holmestrete.

Sum £95 4s. 0d.

6. In a Return of Collectors of a Tax for Archers in *Lib. Alb. Norw.*, fol. clxxvii. d, the names are thus given (1473):—

South Conesford, North Conesford, Berstrete; St. Peter Mancroft, St. Stephen, St. Giles; West Wymer, Middel-wymer, Estwymer; Coslany, Colgate, Fybrigge—Spitlond and Raton rowe stand for Normanslond and Holmestrete.

7. On the same folio is a statement that "The Fifteenth and Tenth in this Citie over the deductions as in the recorde of the King's Exchequer is £80 6s. 11½d.; this was sent by the Kynge's Comission in the 12th year of Henry VII. [1497]." The names of the districts are the same, but the sums attached to them are different.

On this matter see also No. CCXIX. (1453) and No. CCXXIII. (1459).

THE CUSTUMAL.

Framingham.¹

XLIX. [L]Eges et Consuetudines ab antiquo in Ciuitate Norwicensi optent' et usitat'. (*Book of Pleas*, fol. 89.)
Laws and Customs of old held and used in the City of Norwich.

Cap. 1. De Placito Corone.

Concerning a Plea of the Crown.

¹ Framingham: For explanation of this word and the initial "L" in the title, see Preface to "Custumal," Introduction X. 2.

- Cap. 2. De murthero si infra libertatem Ciuitatis inueniatur.
Concerning murder if it be found within the liberty of the City.
- „ 3. De appellacione facienda pro feloniam et eius forma et ubi.
Concerning making an appeal for felony and its form and where.
- „ 4. De manifestis latronibus et eorum receptatoribus.
Concerning open thieves and those that harbour them.
- „ 5. De clamore et utesio levato et qualiter sequi debeat.
Concerning cry and hue raised and how one ought to follow it up.
- „ 6. De fugitiuis ad ecclesiam et ceteris fugitiuis.
Concerning fugitives to a church and other fugitives.
- „ 7. De utlagatis et eorum bonis.
Concerning outlaws and their goods.
- „ 8. De extraneis conuersantibus in ciuitate vel suburbio eiusdem suspecte.
Concerning strangers behaving suspiciously in the City or its suburb.
- „ 9. De submersis in ciuitate et communi ripa usque ad aquam de Breything.
Concerning those that are drowned in the city and the common river as far as the water of Breything.
- „ 10. De vulneracionibus aliorum et sanguinem extrahentibus contra pacem.
Concerning wounding of others and those that draw blood contrary to the peace.
- „ 11. De placito per breue de recto et dilacionibus in eodem.
Concerning a plea by writ of Right and the delays therein.
- „ 12. De placito de recto dotis per breue.
Concerning a plea of right of Dower by writ.
- „ 13. De placito per breue de ingressu et de transgressione.
Concerning a plea by writ of Entry and of Trespass.
- „ 14. De placito per breue quod Replegiar'.
Concerning a plea by writ of Replevin.
- „ 15. De placito ubi et quando Essonia debent fieri in Ciuitate.
Concerning a plea where and when Essoins ought to be made in the City.

- Cap. 16. De placito per breue de nocumento.
Concerning a plea by writ of Nuisance.
- „ 17. De Abbaciamento et hamsoken.
Concerning Abatement and Hamsoken.
- „ 18. De Probacionibus seu Examinacionibus super testamentis
faciendis in curia ciuitatis de laico tenemento legato.
Concerning making Proofs or Examinations upon testaments in the City Court concerning a lay tenement devised.
- „ 19. De Tenemento legato marito per uxorem quod fuerat
ipsius uxoris ante matrimonium.
Concerning a Tenement devised to a husband by the wife which had been the wife's before matrimony.
- „ 20. De Tenemento legato uxori per maritum seu aliis de
uxoris consensu.
Concerning a Tenement devised to a wife by the husband or to others with the wife's consent.
- „ 21. De Cartis liberandis legatur' post testamentum probatum.
Concerning delivery of Deeds to a Divisee after probate of the Testament.
- „ 22. De Tenemento condicionaliter legato per Balliuos in
casu liberando.
Concerning a Tenement conditionally devised being in a certain case delivered by the Bailiffs.
- „ 23. De Tenemento per virum et uxorem coniunctim adquesito
et de consensu legato.
Concerning a Tenement conjointly acquired by a husband and wife and devised by consent.
- „ 24. De placito contra intrusores in tenementis legatis.
Concerning a plea against intruders into tenements devised.
- „ 25. De cartis in curia recognitis per clericum iuratum
irrotulandis.
Concerning enrolling by the sworn clerk of Deeds acknowledged in Court.
- „ 26. De placito debiti inter pares ville sine breui.
Concerning a plea of Debt between Peers of the Vill without a Writ.
- „ 27. De placito debiti inter pares ville et forinsecum.
Concerning a plea of Debt between Peers of the Vill and a Foreigner.

- Cap. 28. De Districcionibus faciendis contra fugitantes a pari ville
pro debito suo.
Concerning making distrains on Fugitives from a Peer
of the Vill for his debt.
- „ 29. De placito debiti recuperando a viro quod uxor sui
cepit a pari ville.
Concerning a plea of Debt for recovering from a husband
what his wife has received from a Peer of the Vill.
- „ 30. De Districcionibus non liberandis cum de fraude teneatur
et sub modo.
Concerning not delivering distrains when one is held for
a man's fraud and under [what] form.
- „ 31. De placito transgressionis vel contractus ubi nominatur
in foro.
Concerning a plea of trespass or contract where "in the
market" is named.
- „ 32. De redditu assisse vendendo vel legato et de potestate
adquirentis.
Concerning selling or devising a Rent of Assize and the
power of the person acquiring it.
- „ 33. De assissa panis vini et seruicie custodienda et de
mensure [sic] signanda.
Concerning keeping the Assize of Bread Wine and Ale
and sealing the measures.
- „ 34. De vulnis et ponderibus in ciuitate habendis et conser-
vandis.
Concerning having and keeping Ells and Weights in the
city.
- „ 35. De Trona et balanc' habend' et eas usitand'.
Concerning having a Beam and Balances and using them.
- „ 36. De Introitibus recipiendis ad parem ville.
Concerning receiving Entries for a man to become a Peer
of the Vill.
- „ 37. De Regratoriis et Forestallariis.
Concerning Regrators and Forestallers.
- „ 38. De pluribus seruientibus non habentibus [sic] in
mercandis.
Concerning not having several servants in merchandising.
- „ 39. De non admittendo socium in mercandis.
Concerning not admitting a partner in merchandising.

- Cap. 40. De carnificibus abbrocariis et tipilariis.
Concerning Butchers Brokers and Tiplers.
- „ 41. De mercandis non absconditis nec per fraudem
conducendis extra villam.
Concerning not hiding merchandise nor fraudulently leading
it out of the town.
- „ 42. De extraneis non hospitandis nisi hospes velit respondere.
Concerning not entertaining strangers unless the host is
willing to answer for them.
- „ 43. De seruientibus operariis malefactoribus propter audaciam
paupertatis.
Concerning labouring servants who are evildoers through
boldness of their poverty.
- „ 44. De conseruando fossata ciuitatis.
Concerning keeping the City ditches.
- „ 45. De pena infligenda ciuibus per contumaciam in com-
munibus negociis conuocatis.
Concerning inflicting a penalty on citizens for contumacy
when summoned to common business.
- „ 46. De operibus in ciuitate usitandis et scrutandis.
Concerning using and searching occupations in the City.
- „ 47. De Compotis recipiendis in Ciuitate.
Concerning receiving Accounts in the City.
- „ 48. De execucionibus faciendis super iudicatos et auxilium
[sic] faciend'.
Concerning executions to be made on persons judged and
on [defaulters in] making an Aid.
- „ 49. De seruientibus narrantibus in ciuitate et eorum gestu.
Concerning Sergeants Countors in the city and their
behaviour.
- „ 50. De recusantibus admittere onus balliui in eleccione et
eorum pena.
Concerning persons refusing to take up the charge of
Bailiff on election and their penalty.
- „ 51. De Juramento Balliuorum in eorum eleccione.
Concerning the Oath of the Bailiffs on their election.
- „ 52. De placito per breue de compoto reddendo.
Concerning a plea by Writ "Of rendering Account."

Cap. 53. De quo nullus eligatur bis in Ballium infra quatuor annos quin deficit.¹

Concerning no man being elected Bailiff twice within an interval of 4 years.

„ 54. De placito per breue quare cessavit per biennium.²

Concerning a plea by Writ "Whereas he has ceased for 2 years."

CAPITULUM PRIMUM.

In primis. In casu ubi aliquis interficiat alium in ciuitate vel suburbio aut in aliquo illius ciuitatis fine vel faciat contremacionem domorum aut aliam feloniam in eisdem et ille malefactor poterit in eisdem inueniri statim capiatur corpus suum et in prisona ciuitatis mancipetur et saluo custodiatur ibidem sine quacunque dimissione per pleuinam³ aut alio modo quousque iudicium secundum legem et ciuitatis illius consuetudinem fiat de eodem sic in eadem deprehenso quod iustum erit.

CAPITULUM SECUNDUM.

Item si murdrum sit inuentum in ciuitate vel suburbio vel aqua supradictis videlicet quod nulla englesceria⁴ presentetur pro eo quod

CHAPTER 1ST.

First. In case where any man kills another in the city or suburb or in any bound of the city or makes disturbance of houses or does other felony in the same and that evildoer can be found within the same (bounds) let his body immediately be taken and held in the prison of the city and safely guarded there without any release by replevin or other way until judgment according to law and the custom of the city be made concerning him that is thus apprehended in the said (city) as shall be just.

CHAPTER 2ND.

Also if a murder is found in the city or suburb or water of the same, to wit that no englyshry is to be presented for that the city has

¹ See Introduction X. 2. Blomefield, *Hist. Nor.* III., 73, 92.

² Statute of Gloucester (6 E. I.) c. 4. Statute of Westminster II. (13 E. I.) c. 21. Pollock and Maitland, *Hist. of Eng. Law*, i., 353.

³ By giving security.

⁴ Proof that the murdered person was of English and not Norman race. This requirement was abolished throughout the kingdom in 1340. The Citizens of Norwich were released from paying murder-fines by the Charter of 5 Richard I.

illa ciuitas habet cartam domini Regis de quietancia murdri in eadem ciuitate aqua vel suburbio supradictis inuenti quando contigerit.

CAPITULUM TERCIVM.

Item appellum¹ de feloniam quandocunque fieri contingat semper fiat in comitatu sicut hactenus in eadem ciuitate in huiusmodi appellis fieri consuevit.

CAPITULUM QUARTUM

Item de latronibus manifestis captis in eadem ad sectam partis et cum manu opere² suo iudicetur in curia ciuitatis coram coronatoribus et Balliuis eiusdem Et similiter fiat de latronibus captis in eadem ciuitate pro latrocinio cum eis inuento licet factum sit commissum in forinseco³ dum tamen super habeatur secta⁴ contra huiusmodi latrones. Set nullo modo sine secta procedatur per ipsos de ciuitate in hac parte ad iudicium de eisdem usque ad communem

a charter of the lord king concerning quittance of murder found in the said city water or suburb when it shall happen.

CHAPTER 3RD.

Also an appeal of felony whensoever it chance to be made shall always be made in the county [court] as hath been wont to be done in the said city hitherto in such appeals.

CHAPTER 4TH.

Also concerning open thieves taken in the said city at the suit of a party and with their mainour let judgment be given in the court of the city before the coroners and Bailiffs of the same. And in like manner be it done concerning thieves taken in the said city for larceny found with them although the deed be committed in the foreign, provided however that a suit be afterwards had against such thieves. But in no wise without a suit let those of the city proceed to judgment in this

¹ An "appeal" was a personal charge. The County or Sheriff's Court was within the precinct of the Castle. On these appeals, see Gross Office of Coroner (*Selden Society*, vol. IX., pp. xlii. and xliii.).

² With the stolen goods in their possession.

³ Outside the city.

⁴ A "suit" was a following of persons ready to support the charge. This chapter is so completely illustrated by the case of Walter Eghe (No. LXXXVII.) in 1285 that its compilers might well have had that case in their minds.

liberacionem prisone Norwici et tunc veniant Justiciarii ad prisonam liberandam assignati in curiam ciuitatis¹ de talibus latronibus ubi nulla est secta cum latrocinio inuentis secundum legem communem regni² iudicaturi et non facit [sic] fraus per balliuos de falsa secta in huiusmodi facienda et procuranda. Et acceptator huiusmodi latronum [si] in illa ciuitate poterint inueniri et de huiusmodi acceptamento sint indictati et de hoc conuicti poterint [sic] in eadem curia ciuitatis fiat similiter iudicium de eisdem secundum quod de latrone si inuentum fuerit quod latronem receptauit sciens eius latrocinium si principalis conuincatur.

CAPITULUM QUINTUM.

Item de utesio et clamore levato in ciuitate de die vel de nocte pro aliqua felonia vel roberia facta in ciuitate memorata vel in suburbio eiusdem fiat secta statim per homines qui sunt de fidelitate domini Regis quousque capiatur ille contra quem levatum fuerit vel se legi attachiaverit et justiciari velit.

case concerning them until the common delivery of the prison of Norwich and then the Justices assigned for the delivery of the prison come into the court of the city to give judgment concerning such thieves, where no suit is made with the larceny found, according to the common law of the kingdom. And let not fraud be done by the bailiffs concerning making and procuring false suit in such a case. And the receivers of such thieves [if] they can be found in the said city and be indicted for such receiving and be convicted thereof in the said court of the city let judgment in like manner be done concerning them as concerning the thief if it shall be found that he [sic] received the thief knowing his larceny, if the principal be convicted.

CHAPTER 5TH.

Also concerning hue and cry raised in the city by day or by night for any felony or robbery done in the said city or in the suburb thereof let suit be made immediately by men who are of the fealty of the lord king until he against whom the hue has been raised be taken or shall have attached himself [to stand] to law and be willing to be brought to justice.

¹ By Letters Patent of 2 Feb. 19 E. II. 1326 (Introduction IV. 1) these Justices were forbidden to hold their sessions in any place but the Shirehouse. This would rather imply that this Chapter was written before that date.

² The term "Common Law" to distinguish customary from Statute Law was hardly in use at the date assigned to this Custumal, but it was in use to distinguish the general law

CAPITULUM SEXTUM.

Item de felonibus post feloniam factam ad ecclesiam fugientibus infra ciuitatem illam et [P si] ibi morentur usque ad abiuracionem¹ regni eorum catalla apprecientur ad opus domini Regis si que habuerint tempore abiuracionis sue in illa ciuitate facte. Et illa catalla per idem precium per coronatorem illius ciuitatis liberentur certis hominibus de eadem qui inde respondeant in itinere Justiciariorum cum euenerit. Et in casu ubi fugitivus terram abiurans habeat terras et tenementa in ciuitate et illa tenuerit de aliquo conciue eiusdem per certum seruicium annuum unde eschaeta de huiusmodi terra seu tenemento eidem conciui poterit seu debuerit accedere vel accrescere et apprecietur annus et vastus² ad valorem eiusdem ad opus domini Regis. Et ad idem precium liberetur eidem conciui de quo ipse tenuit ad inde respondendum et de medio tempore domini Regis [sic] in itinere Justiciariorum cum euenerit per bonam securitatem in hac parte faciendam. Et eodem modo fiat de certis fugitiuis quorum bona et catalla per eorum

CHAPTER 6TH.

Also concerning felons after a felony done fleeing to a church within the city and there abiding till they abjure the kingdom let their chattels be appraised to the use of the lord king if they have any at the time of their abjuration made in the city. And let the chattels at the said price be delivered by the coroner of the city to certain men of the same who shall answer thereof at the Iter of the Justices when it shall occur. And in the case where the fugitive abjuring the kingdom has lands and tenements in the city and holds them of another fellow-citizen of the same by certain annual service whereof escheat of such land or tenement can or ought to fall or accrue to the said fellow-citizen, let the year and waste to the value of the same be appraised to the use of the lord king. And at the said price let it be delivered to the said fellow-citizen of whom he held to answer thereof and for the intermediate time to the lord king at the Iter of his Justices when it shall occur, by good security to be made on that behalf. And in the same manner be it done concerning certain fugitives whose

of the land from special or local law. (Pollock and Maitland, *Hist. of E. Law*, 2nd edition, i. 177). The language of this clause seems taken from the Charter of 33 E. I. (No. X), where the expression used is "according to the law and custom of our kingdom."

¹ A felon who had taken sanctuary, if he refused to stand a trial, might elect to abjure the kingdom, in which case a day and a port were assigned for his departure.

² The King had a right to enjoy the lands of a felon for a year and a day and to commit waste thereon (Jacob, *Law Dict.*, "Year Day and Waste").

fugam sunt forisfacta. Et similiter fiat et teneatur in illa ciuitate de bonis et catallis terris et tenementis illorum qui meritis suis exigentibus sint in eadem ciuitate utlagati.

CAPITULUM SEPTIMUM.

Item si quis utlagatus vel alius terram domini Regis abiurans sine speciali gracia domini Regis ad suum infortunium reuertatur et in ciuitate predicta inueniatur statim sequatur cum utesio et clamore de loco ad locum et fiat incontinentim de ipso iudicium quod conuenit in hac parte sine aliqua detencione vel imprisonmento si fugam fecerit et ad pacem se reddere noluerit. Et si aliquo casu contingat quod talis per ignoranciam capiatur et per aliquod interuallum detineatur aut in prisa adducatur et ibidem mancipetur tunc nullo modo fiat tale iudicium. Set bene et saluo custodiatur sine qualibet dimissione usque ad communem liberationem prisone ciuitatis predictae. Et caueat sibi custos prisone quod bene et fideliter custodiatur salua custodia et sepius visitetur propter fraudem que poterit euenire.

CAPITULUM OCTAVUM.

Item de extraneis ad ciuitatem concurrentibus et in eadem

goods and chattels are forfeited by their flight. And in like manner be it done and held in the city concerning the goods and chattels lands and tenements of those who through their deserts requiring it are outlawed in the said city.

CHAPTER 7TH.

Also if an outlaw or other abjuring the land of the lord king without special grace of the lord king return at his peril and be found in the said city let him be pursued at once with hue and cry from place to place and let judgment such as is right in such case be instantly done concerning him without any detention or imprisonment, if he have made flight and refused to restore himself to peace. And if in any case it happens that such a one is taken in ignorance and detained for some interval or led to prison and held there, then by no means let such judgment be made but let him be well and safely guarded without any release until the common delivery of the prison of the said city. And let the keeper of the said prison take heed to himself that he is well and faithfully guarded in safe keeping and often visited by reason of the fraud which might arise.

CHAPTER 8TH.

Also concerning strangers coming to the city and making stay

moram facientibus et suspecte et fatue se gerentibus unde mala suspeccio a fide dignis versus illos merito oriatur arestentur tales suspecti per balliuos vel constabularios ciuitatis per corpora sua et saluo custodiantur donec competentem inuenerunt securitatem quod parati erunt ad pacem domini Regis iuxta legem terre et regni ac predictae ciuitatis consuetudinem et quod bene et fideliter se habebunt in illa ciuitate.

CAPITULUM NONUM.

Item de submersis in aqua Norwici et communi Ripa usque ad aquam de Breything¹ fontibus puteis in eadem existentibus vel alibi et aliis in ciuitate subito morientibus fiat visus corone² de talibus inuentis in aqua videlicet usque ad locum antiquitus usitatum apud Breything Et super terram usque ad quatuor []³ ciuitatis et si per coronatorem nec per inquisitionem ad preceptum

in the same and behaving themselves in a suspicious and foolish manner whereby evil suspicion from men of credit towards them deservedly arises let such suspected men be arrested by their bodies by the bailiffs or constables of the city and safely guarded until they have found competent security that they will be ready [to answer] to the peace of the lord king according to the law of the land and the realm and the custom of the said city and that they will hold themselves well and faithfully in the city.

CHAPTER 9TH.

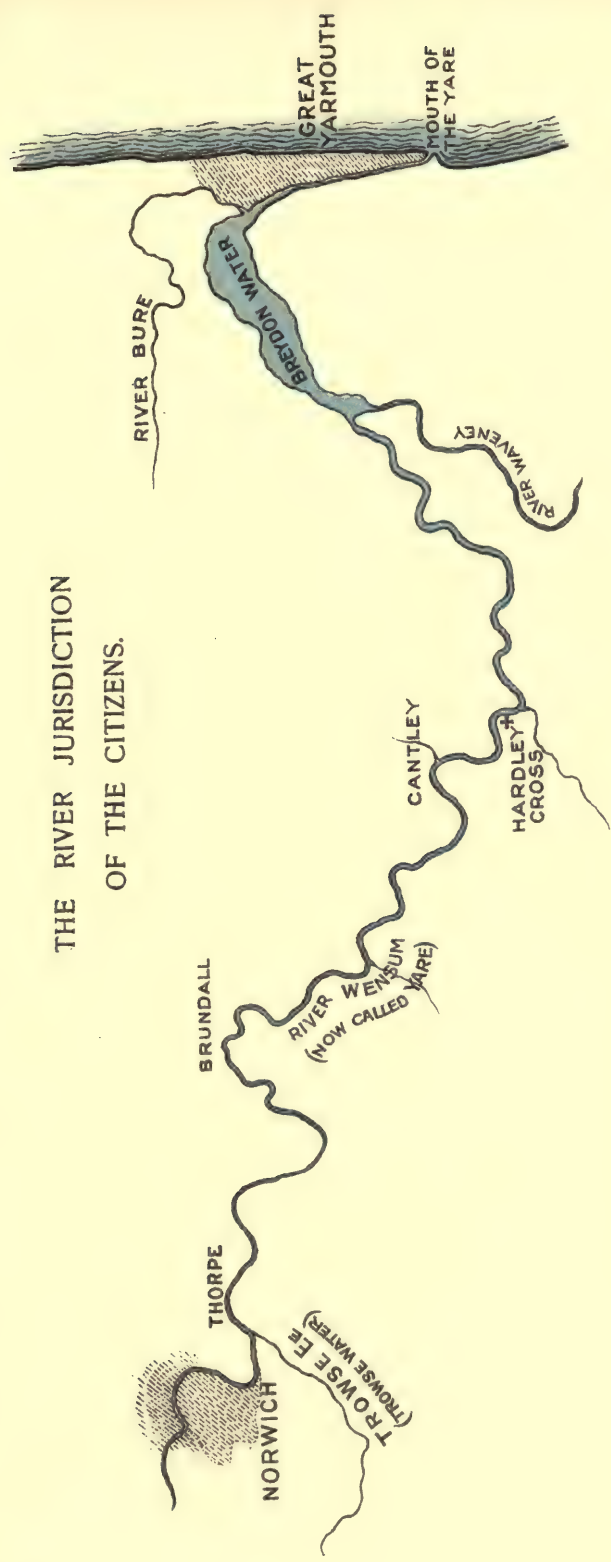
Also concerning persons drowned in the water of Norwich and the common River as far as the water of Breything in wells or pits existing in the said city or elsewhere and other persons suddenly dying in the said city let there be a view of the crown concerning such persons found in the water to wit as far as the place anciently used at Breything, and upon land as far as the four [] of the city. And if neither by the

¹ Breydon Water, the estuary at the back of Yarmouth which receives the combined waters of the Bure, Yare (more correctly Wensum), and Waveney. The exact spot to which the City jurisdiction extended was afterwards marked by a cross called Hardley Cross at the mouth of the little river Chet. Breydon Water is now two miles further down the river, but doubtless at the time of the compilation of the Customs it extended more inland. The City jurisdiction included the whole separate course of the river Wensum from Norwich. See No. XXXVII.

² A Coroner's Inquest. See No. LXXXVIII.

³ A word is here omitted in error at the commencement of a new line. Kirkpatrick, *Streets, &c.*, p. 90, quoting this passage, speaks of four "crosses." On this matter, see Introduction VI. 3.

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eorundem vocatam coram eisdem coronatoribus et per ipsos factam nichil nisi bonum poterit inueniri nec aliquod impedimentum fit aliunde in hac parte per quod humacio corporis sic inuenti debeat retardari statim detur licentia ad humandum corpus huius inuenti sine delacione ulteriori.

CAPITULUM DECIMUM.

Item si quis infra ciuitatem alium maliciose vulneravit unde desperatur de vita vulnerati statim capiatur ipse qui sic alium vulneravit et imprisonetur in priona ciuitatis et ibi sine aliqua dimissione saluo custodiatur donec bona spes de leso habeatur. Et perdat ille malefactor arma illa quibus alium sic vulneravit. Et remaneant arma illa Balliuis ciuitatis tanquam forisfacta. Et ipse delinquens faciat competentes emendas leso si conualescat. Et nichilominus erga balliuos grauiter amercietur et puniatur pro pace violata. Et similiter si quis in eadem per malisiam ab alio maliciose sanguinem violenter extraxerit statim ad sectam usque attachietur ille malefactor per corpus suum si lesus contra eum sequi voluerit quousque se legi velit attachiare et quod debitas inde le o faciet

coroners nor by the inquest summoned at their precept before the said coroners and by them held nothing but good can be found nor any hindrance is made from elsewhere in this case whereby the burial of the body thus found ought to be delayed, let licence at once be given to bury the body of the person thus found without further delay.

CHAPTER IOTH.

Also if any one within the city has maliciously wounded another whereby the life of the wounded person is despaired of, let him who has thus wounded another be forthwith taken and imprisoned in the prison of the city and there without any release safely guarded until good hope is had concerning the wounded. And let the evil doer lose the weapons with which he has thus wounded another. And let the weapons remain with the Bailiffs of the city as forfeits. And let the offender make due amends to the wounded if he recover. And none the less let him be heavily amerced and punished towards the bailiffs for breaking the peace. And in like manner if any one in the said city by malice has maliciously drawn blood of another by violence let the evil doer be forthwith attached by his body to answer to a suit, if the wounded man wishes to sue him, until he is willing to attach himself to law and that he will make due amends to the wounded therefor and be punished

emendas et punietur erga Balliuos si conuincatur. Et si lesus sequi noluerit versus eundem vel ausus non fuerit nichillominus si commissum sit notorium attachietur ad respondendum coram balliuis ex officio suo de pace violata et si inuentum sit siue ex officio siue ad sectam ipsum sic deliquisse grauiter amerietur par balliuos et adhuc perdat arma illa ad opus balliuorum quibus sic violentiam fecerit sicut forisfacta. Et in verberacionibus ac ceteris transgressionibus minutis in illa ciuitate factis habeat unusquisque sectam suam per vadium et plegium,¹ etc. secundum quod communiter fuerat usitatum ab antiquo in ciuitate predicta et fieri consuevit ne huiusmodi transgressores audaciam habeant delinquendi ac talia commissa transeant impunita.

CAPITULUM UNDECIMUM.

Item breue de Recto² placitetur in ciuitate illa sub hac forma videlicet per tres somoniciones et tres districciones postea factas tenenti de quindena et postea potest tenens facere defaltam et tunc preceptum erit capiendi tenementum illud petitum in manum domini Regis et post defaltam factam replegiare terram et venire

towards the Bailiffs if he be convicted. And if the wounded man is unwilling to make suit against him or dares not do it, notwithstanding if the deed be notorious let him be attached to answer before the bailiffs by reason of their office for breach of the peace and if he be found, whether officially or at a suit, to have thus offended let him be heavily amerced by the bailiffs and further let him lose the weapons to the use of the bailiffs with which he has done the violence as forfeits. And in blows and other small assaults done in the city let every one have his suit by wed and pledge &c. according to what has commonly been used of old in the said city and is wont to be done, lest such transgressors have boldness of offending and such acts pass unpunished.

CHAPTER IITH.

Also let a Writ of Right be pleaded in the city in this form to wit by 3 summonses and 3 distraints afterwards made to the tenant fortnightly and afterwards the tenant may make default and then an order shall be made to take the tenement claimed into the hand of the lord king and after default made [the tenant] may replevy the land and come to his

¹ By giving due security that he will follow up the charge.

² A claim to ownership of land against a tenant in occupation. The various delays, essoins (legal excuses for absence), and other steps in the process caused these actions to linger on for a year or more.

ad diem suum et defendere¹ somonicones et weynare districciones in hec verba Simon de N. qui ci est defend somonus et weyne lez distres et gage la ley selonque les usages de la cite et vadiare legem.² Quamquidem legem non perficiet nisi velit et tamen hoc non vertetur sibi in defaltam in curia ciuitatis et postmodum habebit tria essonia et diem de quindena in quindenam. Et post illa tria essonia habebit visum terre.³ Et post visum terre habebit tria essonia ut prius que facient mencionem de visu petito sicut prius in lege vadiata. Et postmodum potest tenens vocare ad warantam si warantum habeat vel respondeat ulterius ad placitum principale de recto. Et ponat se tenens in Deum et in bonam Inquisicionem in forma magne Assisse⁴ an ipse habeat maius ius in sua retencione sicut tenet quam petens in sua petitione sicut petit de habendo tenementum petitum in dominico Et cui det illa inquisicio illud Jus inter partes illas [illius sit] in perpetuum. Et erunt quatuor viri fide digni de consensu partium electi ad eligendum

day and defend the summons and waive the distrains in these words "Simon de N. q ci est defend somonus et weyne lez distres et gage la ley selonque les usages de la cite" and wage his law. Which law he shall not perform unless he wills and yet it shall not be turned against him into a default in the court of the city. And afterwards he shall have 3 essoins and a day from fortnight to fortnight. And after the 3 essoins he have a view of the land. And after the view of the land he shall have 3 essoins as before which shall make mention of the view demanded as before in waging the law. And afterwards the tenant may vouch to warrant if he have a warrant or answer further at the principal plea of right. And the tenant shall put himself on God and a good inquest in form of a Grand Assize whether he has greater right in his holding as he holds than the claimant in his claim as he claims with regard to holding the claimed tenement in demesne, and to whom the inquest gives the right between the parties [let it be his] for ever. And there shall be 4 men of credit chosen by consent of the parties to choose

¹ Deny the summons and forego the distrains.

² In earlier times this was done by a judicial combat or duel. In Norwich, by Charter of Richard I., a man might do it by calling so many oath-helpers to support the truth of his assertion.

³ A personal inspection of the land by a jury.

⁴ A jury of neighbours, whose verdict should be final as to which of the two litigants had the greater right to the freehold in dispute. At Yarmouth (Swinden, p. 139) the number was 16. See also Maitland and Pollock, *Hist. Engl. Law*, i. 147, ii. 63; Reeves, *Hist. E. Law*, i. 188.

istam Inquisicionem in presencia partium predictarum. Et sciendum est quod omnes dies et omnes dilaciones antedictæ erunt in quindenam in quindenam et hoc semper per diem lune.¹ Et ille qui vocauerit a warant [sic] sequatur breue suum de faciendo somonicionem waranti ad warantizandum in Itinere Justiciariorum² cum primo euenerit si ille sit forinsecus et nichil habeat in ciuitate, Ita quod habeat breue suum ad tercium diem Essonii sui postea et hoc periculo suo. Et si demandans velit contraplacitare quod nec ille vocatus a warant nec eius antecessor nunquam fuerat seisisus in dominico de tenemento petito et hoc velit verificare et tenens nolit in hoc contrarie ipsum transversare tunc ponatur ad aliam responcionem faciendam. Et si vocatus gratis veniat et warantizet et non poterit contra placitare petentem habeat petens suam prosecucionem versus vocatum in warantum adeo sicut versus tenetem illum per suam warantam. Et si ille tenens nullum habeat warantum tunc procedatur ad inquisicionem capiendam in forma supradicta. Et si casu adueniente per defaltam vel per Inquisicionem perdat ille tenens tenementum petatum et habeat ille petens suum recuperare versus primum tenentem de petitione sua predicta et ille versus warentum suum

the Inquest in the presence of the said parties. And it is to be known that all the beforesaid days and all the postponements shall be from fortnight to fortnight and that always on Monday. And he who shall have vouched to warrant shall sue his writ for making summons of the warrantor to warrant in the Iter of the Justices when first it falls if he be a foreigner and have nothing in the city. So that he have his writ at the third day of his essoin afterwards and that at his peril. And if the defendant wishes to counterplead that neither he who is vouched to warrant nor his predecessor ever had been seised in demesne of the tenement claimed and is willing to verify this, and the tenant will not traverse him thereon to the contrary, then let him be put to making another answer. And if the vouchee of his own accord come and warrant and cannot counterplead the claimant let the claimant have his prosecution against the vouchee-to-warrant just as against the tenant by his warrant. And if the tenant have no warrant then let the process go to taking an inquest in the abovesaid form. And if perchance by default or by inquest the tenant lose the tenement claimed, let the claimant have his recovery against the first tenant on his aforesaid suit and the tenant against his

¹ Marginal note in later hand: "Nota de die conveniendi in xv in xv (from fortnight to fortnight) et semper per diem lune."

² In accordance with the Statute of Gloucester (9 E. I. ch. 12).

ad valorem tenementi petiti. Si vero vocatus ad warantum habeat in ciuitate unde warantizare possit tunc procedatur versus ipsum per somonicionem virtute primi breuis in omni casu sicut versus tenentem etc. Et quia multociens petens impediatur de suo Jure per hoc quod tenens vel warantus postquam se posuerit [in] Inquisitionem loco magne assisse quocienscunque fiat apparencia in curia [? se essoniat] non prorogetur Inquisicio capienda dum tamen unicum habuerit essonium post apparenciam.

CAPITULUM DUODECIMUM.

Item placitum de breui de Recto de dote defendatur per illas et easdem dilaciones quibus defendetur per breue de recto ut supra in proximo capitulo notatur usque ad responcionem. Et potest tenens in casu respondere quod mulier que petit nuncquam fuerat eidem desponsata de cuius morte petit. Et in tali casu rogetur Episcopus loci ut inquirat in curia Christianitatis¹ super hoc et curie ciuitatis certificet quod inuenerit in hac parte et secundum hoc procedatur ad iudicium. Et potest tenens in casu respondere quod maritus illius mulieris petentis per cuius mortem

warrant to the value of the tenement sued. If however the vouchee-to-warrant have in the city whereof he can warrant then let process be against him by summons by virtue of the first writ in every case as against the tenant &c. And because many times the claimant is hindered of his right, for that the tenant or warrant after he has put himself on an inquest in place of a grand assize as often as an appearance is made in court [? essoins himself], let not the taking of an inquest be postponed provided however that he has one essoin after appearance.

CHAPTER 12TH.

Also let a plea of Writ of Right of Dower be defended by these and the same delays as defence shall be made in a Writ of Right as is noted above in the last chapter as far as the reply. And the tenant can in case reply that the woman who sues was never married to him on whose death she sues. And in such case let the Bishop of the place be asked that enquiry may be made in the court of Christianity about this and let him certify to the court of the city what he has found in this matter and according to that let the case proceed to judgment. And the tenant can in case reply that the husband of the woman suing by whose

¹ The local ecclesiastical Court which had legal cognisance of matters relating to marriage and testaments. See *Leet Jurisdiction*, No. CCCXIII.

dotem petit non fuerat seiscitus ut de feodo die quo ipsam desponsauit nec postea per quod ipsa non debet responderi eidem mulieri et de hoc sint partes ad verificacionem si hoc velint expectare. Et potest responderi eidem mulieri quod ipsa dotem habere non debet pro eo quod ipsa per consensum cum marito suo in plena curia ciuitatis coram balliuis et aliis bonis hominibus dictum tenementum donauit tenenti vel eius antecessoribus vel illi cuius assignatus ipse est et super hoc ostendat factum suum proprium [per] quod hoc testificetur dum tamen illud factum irrotulatum reperiatur in plena curia ciuitatis secundum eius consuetudinem tunc excludatur illa mulier a petitione sua in perpetuum. Et eodem modo excludantur omnes mulieres de omnimodis accionibus suis quo ad tenementa petenda post mortem maritorum suorum in omnibus placitis et querelis ubi tale factum suum proprium poterit contra ipsos proponi et verificari.

CAPITULUM TERCIVMDECIMUM.

Item placitum per breue de Ingressu et per breue transgressionis¹ ubicunque sit in Curia Regis siue in banco siue alibi in illa curia vel somonicionis vel per attachiamentum

death she sues for a dower was not seised of it as of fee on the day when he married her nor afterwards wherefore no answer ought to be made to the said woman and concerning this let there be parties to verify if they wish to await this. And answer may be given to the woman that she ought not to have a dower for that she by consent with her husband in the full court of the city before the Bailiffs and other good men gave the said tenement to the tenant or his ancestors or to him whose assign he is. And [if] upon this he can show his proper deed by which this may be testified, provided however that the deed is found enrolled in the full court of the city according to the custom of the city, then let the woman be excluded from her petition for ever. And in the same manner let all women be excluded from all kinds of their actions so far as claiming tenements after the death of their husbands in all pleas and complaints where such their proper deed can be set forth and verified against them.

CHAPTER 13TH.

Also a plea by Writ of Entry and by Writ of Trespass wheresoever it be in the King's Court whether in the Bench or elsewhere in that court either [by] summons or by attachment let the City Court always

¹ Actions to obtain possession of lands alleged to be wrongfully occupied by another.

semper petatur curia ciuitatis¹. Et cum loquele eisdem ciuibus per eorum attornatum sint liberate² sit tunc placitum inter partes in curia ciuitatis deductum et fiat unicuique in eadem secundum formam breuium predictorum et querelas querelancium Ita quod nullus habet necesse per defectum iusticie alibi suum querere remedium. Et quia conciuēs illius ciuitatis sepius ad graue dampnum ipsorum in Inquiscionibus et Juratis ad curiam domini Regis laboribus et expensis multipliciter fatigantur per huiusmodi placita decetero sit ut hactenus fieri consueuit quod curia ciuitatis in omni placito petatur in curia domini Regis. Et sumptus qui necessario ad hoc debent apponi leuentur de illis partibus defendentibus si habeant unde pro illis laboribus et expensis vitandis et adquietandis Et si non habeant unde sumptus predicti poterunt leuari tunc leuentur et adquietentur de communi et per manus camerarii ciuitatis soluantur.

CAPITULUM QUARTODECIMUM.

Item placitum per breue quod dicitur Replegiare³ placitetur

be claimed. And when the pleas are delivered to the said citizens by their attorney then let the plea between the parties be argued in the City Court and justice to each party be done in it according to the form of the aforesaid writs and the complaints of the complainants, so that none may have need by default of justice to seek his remedy elsewhere. And because the fellow-citizens of this city are oftentimes in Inquests and Juries at the court of the Lord King distressed with manifold labours and expenses by such pleas, henceforth let it be as heretofore it has been wont to be done that the City Court be claimed in every plea in the court of the Lord King. And the costs which ought of necessity to be laid thereon let them be levied from the parties defendant, if they have wherefrom, for avoiding and getting quit of those labours and expenses. And if they have not wherefrom the aforesaid costs can be levied then let them be levied and acquitted from the common [stock] and let them be paid by the chamberlain of the city.

CHAPTER 14TH.

Also a plea by writ which is called Replevin let it be pleaded in the

¹ Numerous instances of these claims being made on behalf of the local Court and allowed by the King's Judges at Westminster or elsewhere are recorded in the City Books. See No. CCXLI. The claim is there based on the Charters of 39 H. III. and 33 E. I. At an earlier time a clause of the Charter of R. I. was appealed to. No. CXVIII. (Portehors).

² By the officials of the King's Court.

³ An action to recover, on giving due security, goods alleged to have been wrongfully taken in distrain. See Pollock and Maitland, ii. 577.

in curia ciuitatis per attachiamenta ut antiquitus fieri consuevit in eadem videlicet ad replegiandum aueria et catalla unde querela est per plegios sufficientes et iusticiabiles Balliuis ciuitatis attachiata ad manucapienda de faciendo returnum si returnum adiudicetur. Et postea audiatur defencio captorum et ulterius procedat in forma legis. Et si partes litigantes in hac parte sint pares¹ ciuitatis deducatur placitum inter eos de octauo in octauum diem. Et si par ciuitatis litigauerit cum forinseco ubi par ciuitatis sit ex parte petentis sine breui tunc procedatur de die in diem Et si per breue tunc de octauo in octauum diem et sciendum est quod si captor per primam districtionem se noluerit iusticiare adiudicetur super eum secunda et melior districcionem quam prima Et si per secundum se noluerit iusticiare adiudicetur tertia que prevalebit duas precedentes et tunc premuniatur ipse per duos seruientes balliuorum iuratos quod se attachiet et hoc testificent seruientes coram Balliuis et communitate. Et si tunc se noluerit iusticiare ille due districciones prima videlicet et secunda per fide dignos in plena curia apprecientur et per contemptum illius se iustificare nolentis ad opus domini Regis forisfacte sicut contra eum qui se

City Court by attachments as of old has been wont to be done therein, to wit, to replevy goods and chattels whereof there is a plaint [let them be] attached to the Bailiffs of the city by sufficient and lawful pledges to be held on bail for making return if return is adjudged. And afterwards let the defence of the seizers be heard and further process be taken in form of law. And if the parties litigant in this manner be peers of the city let the plea between them be argued from 8 days to 8 days. And if a peer of the city is litigating with a foreigner, where the peer of the city is claimant without a writ then let process be taken from day to day and if by writ then from 8 days to 8 days and be it known that if the seizer will not justify himself by the first distraint there shall be adjudged upon him a second and better distraint than the first. And if he will not justify himself by the second let there be adjudged a third which shall overpass the two preceding, and then let him be warned by 2 sworn sergeants of the Bailiffs that he attach himself and this let the sergeants testify before the Bailiffs and the Community. And if then he he will not justify himself let the two distraints, to wit the first and the second, be appraised by trustworthy men in full court and for his contempt in refusing to justify himself let them be forfeited to the use of the lord

¹ See post on chapter 36.

contempnit attachiare legi. Et postea distringatur ulterius de die in diem per omnia bona et catalla sua que habet in ciuitate in quorumcunque manus poterunt inueniri quousque se velit iusticiare legi et eodem modo fiat de omni placito de debito et transgressione ubi partes debent venire in curiam per attachiamentum versus eos prosecutum. Ita quod equalis fiat iusticia omnibus tam minoribus quam maioribus in omnibus per omnia nullo habito respectu ad cuiuscunque statum vel condicionem omni fauore cessante. Et in talibus placitis habeant Balliui potestatem recipiendi attornatum querelantis post querelam attachiati et defendentis postquam se attachiauerit ad respondendum querelanti in querela sua et ad standum Recto coram Balliuis ciuitatis.

CAPITULUM QUINTODECIMUM.

Item in placito ubi Essonium iacet et placitum illud sit per breue domini Regis in curia et aliquis se essoniet de malo veniendi¹ detur ei dies de octauo in octauum diem. Et de placito debiti quando agitur in pares ciuitatis si placitum sit per breue eodem modo detur dies in Essonio et si de debito vel alio placito agatur sine breui inter pares detur dies in talibus essoniis

King as against one who has refused to attach himself to the law. And afterwards let him be distrained further from day to day by all his goods and chattels which he has in the city in whosoever hands they may be found until he is willing to justify himself to the law. And in the same manner be it done concerning every plea of debt and trespass where the parties ought to come into court by attachment sued against them. So that equal justice may be done to all as well less as greater in all things by all things, no respect being had for any man's state or condition all favour ceasing. And in such pleas let the Bailiffs have power to receive the attorney of the complainant after the plaint when he has been attached and of the defendant after he has attached himself to answer the complainant in his plaint and to stand to right before the Bailiffs of the city.

CHAPTER 15TH.

Also in a plea where an essoin lies and the plea is by Writ of the lord King in the court and a man casts the essoin "de malo veniendi" let a day be given him from 8 days to 8 days. And concerning a plea of debt when action is taken against peers of the city if the plea be by writ let a day be given in an essoin in the same manner. And if of

¹ The excuse that it is inconvenient to him to come.

ad discrecionem et voluntatem Balliuorum et si defendens postquam sit attachiatus de seruicio Regis¹ per maliciam essonietur habeat warantum suum ad diem sibi datum sin autem vertatur sibi in defaltam et grauiter amercietur per Balliuos nichillominus respondeat ad placitum principale.

CAPITULUM SEXTODECIMUM.

Item de placito de nocumento ut de muro domo cloaca fossato et huiusmodi leuatis in ciuitate ad nocumentum liberi tenementi alicuius contra sic delinquentes procedatur per breue domini Regis per somonicionem et attachiamentum et per visum terre faciendum parti petenti et defendenti si petatur et omne tale nocumentum [quod] reperiatur esse perpetratum statim deponatur et emendetur per iudicium et per visum iuratorum inquisicione super hoc facienda vel alio modo secundum quod placitum sit in hac parte deductum inter partes illius placiti. Et pars petens recuperet dampna sua aduersus aduersarium suum. Et ille qui tale nocumentum fecit grauiter amercietur per Balliuos pro sua transgressione et distringatur ille ad delendum illud nocumentum.

debt or any other plea action is being taken without writ between peers let a day be given in such essoins at the discretion and will of the Bailiffs. And if the defendant after he has been attached maliciously casts the essoin "de seruicio Regis" let him have his warrant at the day given him, but if it turn to his default let him be heavily amerced by the Bailiffs and none the less let him answer to the principal plea.

CHAPTER 16TH.

Also concerning a plea of nuisance as by a wall house drain ditch and such like raised in the city to the nuisance of any man's free tenement, against such offenders let process be taken by writ of the lord King by summons and attachment and by view of the land had for the party claimant and for the defendant if it be claimed. And every such nuisance which may be found to have been committed let it be at once removed and amended by judgment and by view of sworn men by holding inquest thereon or in any other way according to the plea which in that behalf has been argued by the parties to the plea. And let the claimant recover his damages against his adversary. And let him who has done such nuisance be heavily amerced by the Bailiffs for his trespass and let him be distrained to abolish the nuisance.

¹ The excuse that he is engaged on the King's service.

CAPITULUM SEPTIMODECIMUM.

Item in placito terre et tenementi quod placitetur in ciuitate secundum consuetudinem eiusdem quasi ad modum noue disseisine per vim friscam¹ recenter factam ad prosecutionem querelantis capiatur statim terra vel tenementa in manu domini Regis et amoueatur per balliuos vis et potestas ibidem invent'. Et si necesse fuerit associent sibi Balliui alios de communitate ad hoc faciendum. Et ille qui huiusmodi hamsoken² et abatiamentum³ fecit in hac parte attachietur ad respondendum querelanti ad certos diem et locum eisdem assignatos ad quos diem et locum somoniatur bona inquisicio de visneto illo in quo tenementum situatum est ad faciendum recognicionem inter partes placitantes si necesse fuit. Et si ille versus quem fit querela defaltam fecerit vel se attachiare noluerit capiatur nichillominus ad Inquisicionem in hac parte capiendam in eius defalta. Et tenementum sic in manu domini Regis captum querelanti vel defendenti secundum formam veredicti illius inquisicionis et curie consideracionem

CHAPTER 17TH.

Also in a plea of land or tenement which is pleaded in the city according to the custom thereof as in the manner of novel disseisin by fresh force recently done, at the suit of the complainant let the land or tenement be immediately seized into the hand of the lord King and let the force and power there found be amoved by the Bailiffs. And if need be let the Bailiffs associate with themselves others of the Community to do this. And he who has done such like hamsoken and intrusion let him in that behalf be attached to answer to the complainant at a certain day and place to him assigned. At which day and place let a good inquest be summoned from the neighbourhood in which the tenement is situated to take recognisance between the parties pleading, if need be. And if he against whom the complaint is made make default or refuse to attach himself let [the tenement] none the less be seized at the Inquest to be held in that behalf on his default. And let the tenement thus seized into the hand of the lord King be immediately restored to the complainant or defendant according to the form of the verdict of the

¹ An action to recover lands by a quick process instead of by the dilatory process of an Assize of Novel Disseisin. It was in use in certain cities and boroughs, and was void if not completed within 40 days. See No. CCXLIII., Pollock and Maitland, i. 644. It dealt with occupation, not ownership.

² Violent entry into a house or home.

³ Unlawful intrusion into a tenement vacant by death.

statim reddatur. Et quandocunque tale placitum terre contigerit in ciuitate semper teneatur de die in diem Ita quod infra xl dies terminetur ultra quem diem et terminum Balliui inde nullam habeant [potestatem] modo predicto procedendi.

CAPITULUM OCTAUODECIMUM.

Item quia tenementa in curia sunt placitanda laicalliter¹ in illa ciuitate existencia per leges et consuetudines eiusdem sicut in ciuitate London² fieri consuent ubi laica tenementa pront in aliis ciuitatibus et Burgis regni est usitatum in testamentis seu ultimis decedencium voluntatibus³ libere poterunt legari et assignari sicut in antiquitate est usitatum in ciuitate Norwicensi fiant probaciones ultime voluntatis testamenti vel assignacionis huiusmodi decedencium et huiusmodi tenementa laica in suis ultimis voluntatibus et testamentis legancium et assignancium coram Balliuis ciuitatis in plena curia eiusdem statim post probacionem factam coram ordinario quo ad mobilia istius testamenti. Ita quod executor nullam de huiusmodi tenemento legato habeat administracionem

inquest and the decision of the court. And whensoever such a plea chances to be held in the city let it always be held from day to day so that it be terminated within 40 days beyond which day and term the Bailiffs have no [power] of proceeding thereon in the manner aforesaid.

CHAPTER 18TH.

Also because tenements existing in the city are to be pleaded in the court in a lay manner by the laws and customs of the same as they are wont to be done in the City of London where as in other cities and boroughs of the kingdom is used, lay tenements can freely be devised and assigned in testaments or last wills of those deceasing, as has been of old used in the city of Norwich, let probate of the last will testament or assignment of such persons deceasing and devising and assigning lay tenements in their last wills and testaments be made before the Bailiffs of the city in full court of the same, immediately after probate made of that testament before the ordinary so far as moveable goods, so that an executor may have no administration of a tenement so devised until

¹ According to the methods of the civil and not of the ecclesiastical court.

² Sharpe, *Calendar of Wills*, etc., p. xxxv.

³ A "last will" referred to a man's real estate, which was the "lay tenement" dealt with in the Court of the City. A "testament" referred to his personal property, of which probate was granted by the Ordinary in the Court of Christianity. The word "testament," however, is the one most frequently used in these documents.

donec probationes huiusmodi quo ad tenementa laica sic legata relicta seu assignata modo fiant predicto. Ita quod manifestentur cui et sub qua forma et condicione tenementum huiusmodi sic legatum vel relictum morari debeat. Et ut huiusmodi legatum de laico tenemento stabile permaneat in illa ciuitate [illud legatum tangit laicum¹] in communi rotulo cartarum ciuitatis irrotuletur tota clausula que facit mentionem in testamento de huiusmodi tenemento legato in eodem. Et probacio super hoc facta in dorso illius testamenti et per clericum balliuorum iuratum indorsetur ad modum cartarum. Et sciendum est quod tenementum descendens hereditarie alicui in ciuitate vel reuerti debens hereditarie non potest legari et si in facto legetur in testamento huiusmodi vel relinquatur alicui non habebit locum in preiudicium veri heredis illius testatoris. Set nichillominus si talis hereditas per verum heredem vendatur vel donetur alicui ille adquisitor libere poterit illud tenementum sibi adquisitum sicut cetera adquisita sua in eadem ciuitate vel eius suburbio in suo testamento legare vel assignare si velit. Et stabit et locum habebit illud legatum adeo stabile et firmum sine cuiusque impedimento semper in illa ciuitate sicut de alio tenemento sibi adquisito in eadem.

probate be made in manner aforesaid so far as the lay tenements so devised left or assigned. So that it may be made manifest to whom and under what form and condition such tenement so devised or left ought to remain. And that such a devise of a lay tenement may continue stedfast in the city let the whole clause which makes mention in the testament of such a tenement devised therein be enrolled in the common Roll of Deeds of the City. And let the probate made thereon be endorsed on the dorse of the testament by the sworn clerk of the Bailiffs in the manner of charters. And it is to be known that a tenement descending hereditarily to any one in the city or that ought to revert hereditarily cannot be devised. And if in fact it be devised in such a testament or left to any one [the devise] shall not have place to the prejudice of the true heir of the testator. But none the less if such inheritance be by the true heir sold or granted to any one, the acquirer may freely in his testament devise or assign if he will the tenement acquired by him as his other acquired possessions in the city or its suburb. And that devise shall stand and have place as stedfast and firm for ever in the city without hindrance of any man as with any other tenement acquired by him in the same.

¹ These four words seem to be inserted in error.

CAPITULUM NONODECIMUM.

Item mulier si habet tenementum ex adquisito suo in eadem ciuitate antequam matrimonialiter viro sua sit copulata bene potest in lecto suo mortali vel aliter cum sibi placuerit illud tenementum sibi ut prius adquisitum in suo testamento libere legare cuicunque sibi placuerit de marito suo si non peperit ei post matrimonium inter eos contractum. Et si peperit eidem post contractum inter eos solempnizatum in facie ecclesie poterit illud legare Ita quod post mortem mariti sui remaneat legatorio suo secundum formam testamenti sui dum tamen maritus suus cui peperit habeat inde commodum et usum in vita sua per curialitatem¹ et consuetudinem Regni et ciuitatis illius et hoc sine aliquo vasto inde faciendo. Et similiter ista in lecto suo mortali vel in ultima sua voluntate in testamento suo legare marito suo heredibus et assignatis imperpetuum vel ad terminum vite sue vel annorum et stabit illud testamentum in pace.

CAPITULUM VICESIMUM.

Item in casu ubi vir et uxor aliquod tenementum simul et

CHAPTER 19TH.

Also a woman if she have a tenement of her own acquiring in the said city before she has consummated her marriage with her husband, has full power on her death bed or at other time when it pleases her to devise freely in her testament the tenement acquired by her as above to whomsoever it shall please her away from her husband if she has not borne him a child after matrimony contracted between them. And if she have borne him a child after the contract between them has been solemnized in the face of the church she may devise it, so that after the death of her husband there be remainder to her devisee according to the form of her testament, provided however that her husband to whom she has borne a child have the ease and use thereof in his life time by the Courtesy and Custom of the Realm and of this City and that without making any waste thereon. And in like manner she [may] on her deathbed or in her last will in her testament devise to her husband his heirs and assigns in perpetuity or to the term of his life or of years and that testament shall stand in peace.

CHAPTER 20TH.

Also in case where a man and his wife have together and conjointly

¹ The husband in this case was said to hold his life-estate by "courtesy of England."

coniunctim sibi adquisiuerunt illis et heredibus et assignatis suis in eadem ciuitate et maritus illius mulieris in sua ultima voluntate de assensu et consensu illius uxoris sue ut premittitur cum eodem coniuncte in huiusmodi tenemento adquisito faciat inde testamentum suum et illud tenementum coniunctim adquisitum in suo testamento legauerit eidem uxori sue terminando [?tenendo] ad terminum vite sue Ita quod post eius uxoris decessum prefatum tenementum per idem testamentum remaneat alicui legatorio suo et eius heredibus de corpore exeuntibus Ita quod nisi habent exitum de corpore suo legitimum predictum tenementum post illius tenentis et testatoris decessum vendetur et precium inde proueniens per executores suos fiat pro ipsis viro et uxore sua in pios usus si ita sit quod uxor ad illud testamentum consenserit et illud ratificauerit post mariti sui decessum vel si fuerit eius executrix vel alio modo de quo doceri poterit illud testamentum in hoc ratum habuerit extunc excludatur ipsa a feodo seu tenemento sic coniunctim adquisito cum viro suo prenominato et extunc sit ipsa contenta legato suo predicto. Et si processu temporis ipsa velit consensum suum et ratificationem suam in premissis negare vel contradicere et velit se tenere ad primam adquisicionem suam simul cum marito suo in hac parte factam

acquired to them and their heirs and assigns a tenement in the said city and the husband of the woman in his last will with assent and consent of his wife, conjoined with him as is premised in such acquired tenement, makes his testament thereon and in his testament shall have devised the tenement conjointly purchased to his said wife to hold for the term of her life so that after the wife's decease the aforesaid tenement by the said testament should remain to some devisee of his and to his heirs from his body issuing, so that if he [the devisee] have no lawful issue of his body the aforesaid tenement after the decease of the testator's tenant should be sold and the price accruing therefrom should by the executors be put to pious uses for the said husband and his wife, if so be that the wife consented to that testament and ratified it after her husband's decease or if she was his executrix or in any other way by which knowledge may be had she has ratified the testament in this matter let her thenceforth be excluded from the fee or tenement so conjointly purchased with her aforementioned husband, and thenceforth let her be content with his [?their] devise. And if in process of time she wishes to deny or contradict her consent and her ratification in the above matters and wishes to hold to her first acquisition made together

et retinere tenementum illud sic legatum de assensu suo contra formam testamenti et suum proprium consensum et si inueniatur illius mulieris consensus irrotulatus in communi regesto ciuitatis scilicet in communi rotulo cartarum tunc excludatur ipsa in perpetuum nisi tantum quod illud teneat in vita sua. Et nullo modo poterit ipsa illud tenementum in testamento viri sui de consensu ipsius uxoris ut premittitur legatum et ut predicatur simul adinquisitum contra formam testamenti viri cui consenserit nunquam legare nec alio quouismodo distrahere vel alienare. Et si cecus fecerit nullum teneat robur firmitatis.

CAPITULUM VICESIMUM PRIMUM.

Item casu quo ille vel illa cui tenementum in testamento alicuius secundum ciuitatis consuetudinem legetur seu etiam relinquatur post mortem testatoris et post probacionem factam de huiusmodi testamento vel testatoris ultima voluntate illud tenementum debent retinere virtute testamenti illius habent accionem ad petendum cartam feofamenti unde testator vel testatrix coniunctim et divisim fuerunt feoffati. Et hoc per breue domini Regis de liberacione cartarum si relictæ defuncti vel eius

with her husband in this behalf and retain the tenement so devised with her assent contrary to the form of the testament and her own proper consent and if the woman's consent be found enrolled in the common register of the city, to wit, the common Roll of Charters, then let her be excluded for ever save only that she hold it in her lifetime. And in no wise may she ever devise or in any other way divert or alienate the tenement devised in the testament of her husband with her consent as is premised and acquired together as is aforesaid contrary to the form of the testament of her husband to which she consented. And if she shall have done otherwise let it have no strength of fixity.

CHAPTER 21ST.

Also in the case where he or she to whom a tenement is devised in a man's testament according to the custom of the city or even left, after the testator's death and after probate made of such testament or last will of the testator, ought to retain the tenement, they may have an action to demand the deed of feofment whereby the testator or testatrix conjointly or severally were enfeoffed and that by writ of the lord King "De liberacione cartarum" [concerning delivery of deeds] if the widow

executor eandem cartam noluerit liberare dumtamen poterit constare seu doceri quod dicta carta post testatoris vel testatricis decessum penes uxorem vel executorem remanserit. Et cum huiusmodi carta in curia ciuitatis ostendatur coram balliuis eiusdem examinetur ipse qui cartam petit an habeat exitum de corpore suo libere procreatum secundum [condicionem] testamenti vel non. Et si habeat exitum talem tunc liberetur ei carta sine aliqua contradiccione dum condicio testamenti ad hoc plene inueniatur et si non habeat exitum de se ut premittitur ponatur carta illa de communi assensu in communi cista ciuitatis quousque talis legatus exitum habeat legitimum de se procreatum et hoc probetur.

CAPITULUM VICESIMUM SECUNDUM.

Item si contingat quod talis legaturus¹ decedit sine exitu de se libere exeunte et executores testamenti illius testatoris qui sub tali condicione tenementum suum legauerit sublatis sint de medio per ordinacionem balliuorum et aliorum bonorum hominum de ciuitate [et] tenementum sic legatum sub condicione predicta

of the deceased or his executor has refused to deliver the said deed. Provided however that it can be proved or shown that the said deed after the decease of the testator or testatrix remained in possession of the wife or the executor. And when such a deed is shown in the court of the city before the Bailiffs of the same let him who demands the deed be examined whether he have issue of his body freely begotten according to the [condition of the] testament or not. And if he have such issue then let the deed be delivered to him without any contradiction provided the condition of the will to that end is fully found, and if he have no issue of himself as is premised let the deed be placed by common assent in the common chest of the city until the devisee have lawful issue of himself begotten and that be proved.

CHAPTER 22ND.

Also if it happen that such a devisee decease without issue from himself freely issuing let the executors of the will of the testator who under such condition has devised his tenement as is aforesaid be removed from the midst by order of the Bailiffs and other good men of the city, [and] let the tenement thus devised under the aforesaid

¹. Perhaps meant for "legatarius," legatee.

liberetur proximo heredi illius testatoris et si heredem non habuerit proximo de sanguine illius testatoris per certum precium valore tenementi illius et hoc per bonam securitatem ad faciendum illud precium fideliter per visum et discrecionem bonorum hominum ad hoc electorum infra certum tempus per balliuos et alios de curia discretos limitandum in certos usus pios convertendum secundum arbitrium et ordinacionem Balliuorum et aliorum ad hoc electorum. Ita quod sciatur pro certo quod huiusmodi precium fiat pro anima illius testatoris si ipse heres vel proximus de sanguine¹ illius testatoris [capiet] illud tenementum ad tale precium in forma predicta et si nolit offeratur et liberetur domino feodi in forma memorata. Et [si] idem dominus illud in forma illa nolit admittere ordinentur venditor et dispositor huiusmodi tenementi legati et precii eiusdem per assensum communem ordinarii loci curie [?coram] quo testamentum probatum fuerit et eciam Balliuorum ciuitatis qui pro tempore fuerint et aliorum ad hoc in hac parte electorum Ita quod aliquo modo in utilitate anime testatoris conuertatur.

condition de delivered to the next heir of the testator or if he have no heir to the next of blood to the testator for a certain price [according to] the value of the tenement and that by good security for making that price faithfully by view and discretion of good men chosen for that purpose within a certain time limited by the Bailiffs and other discreet men of the court to be converted to certain pious uses according to the judgment and order of the Bailiffs and others chosen for that purpose. So that it may be known for certain that such a price be used for the soul of the testator if the heir himself or the next in blood to the testator take the tenement at such a price in form aforesaid. And if he refuse let it be offered and delivered to the lord of the fee in the aforesaid form. And [if] the said lord refuse to take it in the aforesaid form let a vendor and manager of the tenement so devised and of its price be appointed by common assent of the Ordinary of the place before whom the testament was proved and also of the Bailiffs of the city for the time being and of others thereto chosen in this behalf, so that in some manner it may be converted to the benefit of the testator's soul.

¹ It appears from this chapter and others that there was a recognition in Norwich of the rights known as "droit de retrait lignager" (right of pre-emption on the part of the late possessor's kin) and "droit de retrait féodal" (such right on the part of the lord). The former is allowed the first claim. The same custom obtained in Nottingham and Northampton. See Pollock and Maitland, *Hist. Eng. Law*, i. 344, 647; *Records of Northampton*, i. 460. The "capitalis dominus feodi" is constantly mentioned in the City Court Enrolments, but in a formal manner as of a person unknown.

CAPITULUM VICESIMUM TERTIUM.

Item [cum] tenementum sit coniunctim inadquisitum per virum et uxorem suam in ciuitate si vir de consensu uxoris sue et de eius voluntate legauerit in facto suo tale tenementum sic coniunctim adquisitum ad vendendum per executores suos et inde faciendum precium pro anima sua si ipsa uxor post mortem illius viri sui habeat ratum factum eiusdem in huiusmodi legato siue sit executrix siue non et suus consensus coram Balliuis in plena curia super hoc audiatur illa concessio et talis consensus irrotuletur in rotulo de recognicionibus cartarum et postea iniungatur eidem mulieri quod ipsa liberet cartas et instrumenta quas et que inde penes se habet seu poterint inueniri executoribus viri sui predicti. Et si ipsa huiusmodi cartas seu instrumenta prefata executoribus liberare recuset seu nolit excludatur ipsa totaliter de omnibus sibi in dicto testamento relictis seu legatis quoquo modo quantum ad tenementum in eodem testamento sibi legato quousque illas seu illa eisdem executoribus liberauerit. Et nullus qui tenet tenementum ex legato tantum ad terminum vite vel annorum illud quoquo modo ultra terminum sibi legatum vendere legare dimittere vel assignare vel aliququaliter alienare poterit

CHAPTER 23RD.

Also [when] a tenement has been conjointly acquired by a man and his wife in the city if the husband with the consent of his wife and of her will has devised by his deed such a tenement thus conjointly acquired to be sold by his executors and a price made thereof for his soul, if the said wife after the death of her husband have ratified his deed in such a devise, whether she is executrix or not, and her consent is heard before the Bailiffs in full court thereupon, let that concession and such consent be enrolled in the Roll of Acknowledgments of Deeds and afterwards let such woman be enjoined to deliver the deeds and instruments which she has thereon in her possession or can be found to the executors of her husband aforesaid. And if she refuse or is unwilling to deliver to the executors such deeds or instruments aforesaid let her be totally excluded from all things in any way left or devised to her in the said testament so far as relates to the tenement devised in the said testament until she has delivered them to the executors. And no one who holds a tenement by devise to the term of life or years only may in any way sell devise lease or assign or in any way whatever alienate the tenement beyond the term for which it is devised to him contrary to the form contained in the testament.

contra formam in testamento contentam. Quod si cecus actum fuerit illud omnino careat effectum [sic] et pro non facto habeatur. Et talis legati tenementi vendicio dimissio vel assignacio vel alienacio nullius sit momenti.

CAPITULUM VICESIMUM QUARTUM.

Item quia quidam multociens se fortunant et propria temeritate ac voluntarie se ponunt in terras et tenementa in ciuitate adquisita seu legata in testamentis adquirencium illa seu assignata vel data prout bene licet cuilibet in ciuitate predicta adquirenti facere secundum ipsius ciuitatis antiquam et optentam consuetudinem pacificam et quietam et tales huiusmodi fortunantes se inde clamant ius hereditarium habere per successionem hereditariam vel alio modo ad querelam executoris illius testatoris qui dictum tenementum adquisiuit et illud in testamento legauit dedit reliquit vel assignauit per vadium et plegium in forma placiti hamsokne et abbatiamenti tenementum illud capiatur per Balliuos in manum domini Regis et ille qui se intrusit attachietur ad respondendum ad certum diem sibi assignatum. Ad quem diem ostendatur testamentum in curia quatenus contingit illud laicum tenementum in testamento legatum relictum

And if it has been done otherwise let it altogether lack effect and be held as not done. And the sale lease or assignment or alienation of such a devised tenement let it be of no moment.

CHAPTER 24TH.

Also because certain persons many times adventure themselves and of their own rashness and of their own will put themselves into lands and tenements in the city acquired or devised in the testaments of those who acquired them or assigned or given as is fully lawful for every one to do who acquires such in the city according to the ancient and prevailing custom of the said city peaceably and quietly, and such like adventurers claim to have hereditary right of them by hereditary succession or in some other way, at the complaint of the executor of the testator, who acquired the said tenement and devised gave left or assigned it in his testament, by wed and pledge in form of a plea of hamsoken and intrusion let it be seized by the Bailiffs into the hand of the lord King and let him who has intruded be attached to answer at a certain day assigned to him. At which day let the testament be shown in court so far as it touches the lay tenement devised left given

datum seu assignatum memorato. Et [si] ille intrusor non poterit rationabiliter monstrare ad dictum diem vel ad alium assignatum ad quem diem ostendatur testamentum in plena curia quod dictum testamentum in tali casu eciam in tali puncto locum tenere non debet tenementum predictum sic in manu domini Regis captum executori illius testamenti statim liberetur et reddatur per iudicium et consideracionem curie ciuitatis ad inde perficiendum voluntatem testatoris ultimam et testamenti sui formam. Et nichillominus ille intrusor per Balliuos grauiter amercietur pro sua transgressione et reddat dampna.

CAPITULUM VICESIMUM QUINTUM.

Item quia quandoque carte recognite in curia ciuitatis per mulierem una cum marito suo quando dant seu vendunt aliquod tenementum suum coniunctim adquisitum indorsantur et non irrotulantur in rotulis qui debent remanere in thesauria ciuitatis secundum antiquam [consuetudinem] et leges in eadem usitatas que quidem indorsamenta et irrotulaciones in dicta ciuitate locum tenent et habent ut finis¹ in curia domini Regis leuatus clericus

or assigned in the said testament. And if the intruder shall not be able to show reasonably at the said day or at another day assigned, at which the testament may be shown in full court, that the said testament in such case, even in such point, ought not to have place, let the aforesaid tenement so seized into the hand of the lord King be immediately delivered and rendered to the executor of the testament by the judgment and decision of the city court, for the carrying out therefrom of the last will of the testator and the form of his testament. And none the less let the intruder be heavily amerced by the Bailiffs for his trespass and let him render damages.

CHAPTER 25TH.

Also because sometimes deeds acknowledged in the court of the city by a woman together with her husband when they give or sell some tenement of theirs conjointly acquired are endorsed and not enrolled in the Rolls which ought to remain in the Treasury of the city according to the ancient [custom] and laws used in the same, which endorsements and enrolments in the said city hold and have place as a fine levied in the court of the lord King, the sworn Clerk of the

¹ The legal term for a Final Agreement after a fictitious action. The agreement being made by license of the Court was enrolled, and, the court being a Court of Record, could not afterwards be traversed. (See the case of John Page, &c., No. XCI.)

Balliuorum iuratus oneretur per iuramentum suum in casu pres-tandum semel in anno quod ipse clericus nullam cartam talem indorsabit nisi mulier quam negocium contingit presens sit in curia [et] per Balliuos eiusdem examinetur de sua mera voluntate et assensu suo non coactis in hac parte. Et si voluntas sua mera et consensus suus gratuitus reperiantur interuenisse et ipsa talem recognicionem¹ fecerit coram Balliuis in examinacione predicta in plena curia tunc indorsetur carta et irrotuletur in curia et non alibi extra theolonium. Et quod idem clericus illas cartas bene et fideliter indorsabit et irrotulabit ut predictum est Et pro indorsamento cuiuslibet carte capiet clericus ad minus iiii denarios et pro irrotulacione duos solidos nisi plus sibi offeretur. Et quod nullam cartam sic recognitam negabit nec recusabit indorsare et irrotulare. Et Rotuli huiusmodi recognicionum quolibet anno ad festum sancti Michaelis ponantur in communi cista ciuitatis ibidem saluo custodiendi Ita quod quandocunque habeatur aliqua hesitacio super premissis ibidem citius poterint inueniri et eis qui indigent subuenire.

Bailiffs should be charged, by his oath to be tendered in such case once in the year, that the said clerk shall endorse no such deed unless the woman whom the business touches be present in court and be by the Bailiffs of the same examined concerning her mere will and assent not being forced in that matter. And if her mere will and voluntary assent be found to have interuened and she has made such an acknowledgment before the Bailiffs in the aforesaid examination in full court then let the deed be endorsed and enrolled in court and not anywhere else outside the Tolhouse. And the said clerk shall well and faithfully endorse those deeds as is aforesaid. And for the endorsement of every deed the clerk shall receive at least four pence and for the enrolment two shillings unless more shall be offered him. And he shall not deny nor refuse to endorse or enroll any deed so acknowledged. And let the Rolls of such acknowledgments every year at the feast of St. Michael be placed in the common chest of the city there to be safely kept, so that whenever any hesitation is had upon the said matters there they may the more quickly be found and help given to those who need it.

¹ The enrolments shew that this requirement was strictly carried out. But there is no trace of old rolls being laid up at Michaelmas and new rolls beginning with new Bailiffs as the last clause of this chapter seems to imply.

CAPITULUM VICESIMUM SEXTUM.

Item in placito debiti inter pares Ciuitatis ad quantamcunque porcionem seu quantitatem debitum petitum se extendat siue sit plus siue minus statim postquam petens querelam suam attachiauerit de proseguendo eandem somoniatur debitor ad respondendum crastino die sequenti post querelam attachiatam sine allocacione aliqua cuiuscunque quantitatis debiti petiti. Et si debitor veniat ad diem suum per summonicionem et libertatem suam alleget attachiet se statim ad respondendum et habeat diem octauum. Et nisi venerit ad diem suum per summonicionem sibi factam fiat super eum districcio. Et si ad primam districcionem se attachiauerit et libertatem suam allegauerit detur ei octauus dies sicut prius ad respondendum. Et si per maliciam ad differendum querelantem permittat fieri super eum tres districciones antequam se velit attachiare incurrat penam districcionum prius in placito replegiare contentam in capitulo xiiii^o pro suo contemptu. Et nichillominus distringatur de die in diem per quantum poterit distringi quousque se attachiauerit. Et quilibet ciuis illius ciuitatis sit ad legem¹ suam in placito debiti quando sine scripto vel tallia implacitatur. Et si

CHAPTER 26TH.

Also in a plea of debt between peers of the city, to whatsoever portion or quantity the debt sued for extends whether it be more or less, immediately after the petent has attached his plaint for prosecuting the same let the debtor be summoned to answer on the morrow after the plaint has been attached, without any allowance of any quantity whatsoever of the debt sued for. And if the debtor come at his day by summons and allege his freedom let him attach himself immediately to answer and let him have the eighth day. And if he does not come at his day by summons made to him let a distraint be made upon him. And if he has attached himself at the first distraint and alleged his freedom let the eighth day be given to him as before to answer. And if by malice to put off the complainant he permits three distraints to be made upon him before he is willing to be attached let him incur the penalty of distraints contained above in the plea of Replevin in Chapter 14th for his contempt. And none the less let him be distrained from day to day to the utmost he can be distrained until he has attached himself. And let every citizen of the city be at his law in a plea of debt when he is impleaded without a writing or a tally. And if the petent proffer or

¹ See p. 145, n. 2.

petens proferat seu exhibeat talliam de debito petito probetur illa tallia et si suspaccio habeatur de huiusmodi tallia ostensa bene examinetur per se et singillatim et si testes iurati in aliquo discordent vel vacillent maxime in substantialibus requisitionibus per quod maior suspaccio inde reperiatur tunc illa tallia tanquam falsa reiciatur et pro nullo habeatur et recedat pars defendens quieta. Et videant Balliui vel eorum locum tenentes quod talis examinacio fiat in premissis in animarum suarum periculo.

CAPITULUM VICESIMUM SEPTIMUM.

Item in placito debiti quando inter parem ciuitatis et forinsecum deducatur in iudicio¹ per breue domini Regis vel sine breui habeat ille qui est par ciuitatis suam probacionem² ad probandum debitum suum versus forinsecum. Et ille conciuus sit in sua defensione ad legem suam versus forinsecum si aliquid petierit ab eodem si legem vadiare et perficere voluerit secundum leges et antiquas consuetudines illius ciuitatis ab antiquo usitatas et probatas in eadem.

exhibit a tally for the debt sued let the tally be proved and if suspicion is had concerning such a tally shown let it be well examined [by sworn witnesses] by themselves and singly and if the sworn witnesses disagree in anything or hesitate especially in substantial demands whereby greater suspicion is found thereon then let the tally be rejected as false and held for naught and let the defendant depart quit. And let the Bailiffs or their deputies see that such examination is made in the above matters at the peril of their souls.

CHAPTER 27TH.

Also in a plea of debt between a peer of the city and a foreigner when it is being argued in judgment by writ of the lord King or without a writ let him who is a peer of the city have his proof for proving his debt towards the foreigner. And let the said fellow-citizen be in his defence at his law against the foreigner if he claims anything from him, if he wishes to wage and carry out law, according to the laws and ancient customs of the city of old used and approved therein.

¹ When the final issue is before the Court (?).

² Have the benefit of his credit. His word or oath may stand for proof against a foreigner. So, in defending himself, he may wage his law (take an oath); whether single-handed or supported by oath-helpers is doubtful. In London six were required (*Lib. Alb.*, p. 25).

CAPITULUM VICESIMUM OCTAUM.

Item bene liceat conciui illius ciuitatis per se attachiare debitorem infra ciuitatem inuentum et ab eo fugientem ubi non habet prope Ballium¹ et illud attachiamentum in potestate Balliuorum indilate adducere et tunc attachiet se Balliuo de proseguendo versus eundem debitorem suum ita quod non retineat illud attachiamentum a potestate Balliuorum penes se quoquomodo ulterius quam habere poterit et si contingat ipsum conciuem dictum attachiamentum retinere penes se contra formam predictam et debitor suus sibi satisfecerit et ille conciuis cum sit sibi satisfactum liberet dictum attachiamentum debitori suo sine assensu Balliui et super hoc conuincatur grauiter amercietur quia se fecit iudicem et partem in causa propria.

CAPITULUM VICESIMUM NONUM.

Item in casu ubi uxor alicuius ceperit ex accomodato bona vicini sui conciuis illius ciuitatis sine vadio² vel cum vadio preter scienciam viri sui respondeat idem vir de bonis accomodatis uxori

CHAPTER 28TH.

Also let it be fully lawful to a fellow-citizen of the city by himself to attach a debtor found within the city and fleeing from him, where he has not a Bailiff near, and to bring the attachment without delay into the power of the Bailiffs and then let him attach himself to a Bailiff for prosecuting against his said debtor, so that he does not retain the attachment from the power of the Bailiffs in his own possession in any way beyond the time when he can have [remedy]. And if it happen that the fellow-citizen retain the attachment in his own possession contrary to the aforesaid form and his debtor satisfies him and the fellow-citizen when he is satisfied delivers the attachment to his debtor without the assent of a Bailiff and be convicted thereof let him be heavily amerced because he has made himself judge and party in his own cause.

CHAPTER 29TH.

Also in a case where a man's wife has received goods on loan from a neighbour, a fellow citizen of the city, without a gage or with a gage beyond the knowledge of her husband let the said husband

¹ This must be one of the four "principal" Bailiffs. One was elected for each great Leet, and would seem, therefore, to have had power to take separate action in some matters in his own district.

² Something taken by way of security.

sue in eius absencia dum tamen idem vir et uxor sua bene se habeant adinuicem videlicet quod huiusmodi viri uxor tempore quo dicta bona receperit cohabitaret cum marito vel seorsum de ipsius assensu et voluntate et quod publicum sit et manifestum de honesto gestu uxoris predictae et quod fraudulenter nec malo modo se diuertat a marito suo propria temeritate siue sinistra [vel] austerâ fugacione mariti sui per maliciam ipsius viri et non per demerita inhonesta illius uxoris nec quod ipsa se diuerterit causa malignandi in quo casu si hec potuerunt verificari non teneatur maritus compelli talia bona sic capta reddere. Et caueant sibi huiusmodi creditores quod sine consensu mariti huiusmodi mulieres sic malo modo se diuertentes quicquam accomodant nisi tantummodo eorum periculo.

CAPITULUM TRICESIMUM.

Item in omnibus placitis placitandis in ciuitate per attachiammentum si districcio in ciuitate poterit inueniri super eum versus quem sit querelandum et ille sit par uille vel extraneus vel in casu se elongans a ciuitate vel habeatur suspicio quod occasione

answer for the goods lent to his wife in his absence, provided however that the said husband and his wife are on good terms together, to wit that such a man's wife when she received the said goods was cohabiting with her husband, or apart from him with his assent and will and that it is public and manifest concerning the honest conduct of the said wife and that she is separate from her husband not fraudulently or in evil mode by her own boldness, or [that it is] from sinister and harsh driving away on the part of her husband by the husband's own malice and not from the dishonest demerits of the wife and that she has not separated herself to do mischief, in which case if these things can be proved let the husband not be held and compelled to restore such goods so received. And let such creditors take heed to themselves that without the consent of such husband they lend nothing to women in such evil manner separating themselves, save at their own peril only.

CHAPTER 30TH.

Also in pleading all pleas in the city by attachment if a distrainment can be found in the city upon him against whom the plaint lies and he be a peer of the vill or a stranger, if perchance he is absent from the city or suspicion is had that by occasion of that plaint he is desiring

illius querele se velit gratis absentare ante responsionem factam querelanti illud attachiamentum et teneatur et si plegiis dimitti debeat aprecietur et sub hac forma eisdem plegiis liberetur videlicet quod ille cuius plegii erunt non stet recto ad totam querelam petentis ad complendum iudicium quod inde sequetur liberetur illa districcio per idem precium prefatis plegiis suis. Et caueant sibi tales plegii in hoc casu quod ille cuius sint plegii non faciat defaultam quam si fecit ipsi plegii respondebunt querelanti de precio districcionis in hac parte facte et eis liberate adeo plene quam si totum placitum fuisset inter eos placitatum et ille cuius sunt plegii de tota querela fuisset conuictus. Et nichillominus grauiter amercentur quia non habuerunt ipsum cuius plegii fuerunt in hac parte.

CAPITULUM TRICESIMUM PRIMUM.

Item in casu ubi aliquis implacitando allegat contractum vel transgressionem fuisse factum in foro ut sic excludat aduersarium suum de lege sua¹ et pro habendo fauorabilem inquisitionem de alio

to absent himself of his own accord before making answer to the complainant, let the attachment be retained and if it has to be committed to pledges let it be appraised and under this form delivered to the said pledges, to wit, that, [if] he whose pledges they shall be does not stand to right to the whole plaint of the petent, to fulfil the judgement which shall follow thereon, the distraint be delivered to his aforesaid pledges at the said price. And let such pledges take heed to themselves in this case that he whose pledges they are do not make default, the which if he does the said pledges shall answer to the complainant concerning the price of the distraint in this behalf made and delivered to them, as fully as if the whole plea had been pleaded between [?against] them and he whose pledges they are had been convicted of the whole plaint. And none the less let them be heavily amerced because they had not him whose pledges they were in this behalf.

CHAPTER 31ST.

Also in a case where a man in pleading alleges a contract or a trespass to have been made "in the market" in order to thus exclude his adversary from his law and to have a favourable inquest from

¹ From this and the last clause it would appear that waging the law (by oath) was not admissible in the case of offences committed in the market. A summary Pie-powder Court is said to have been held at the time of the markets. See No. XLV., No. CCCII., and *Blomefield*, III., 151.

visneto quam de illo ubi factum fuit commissum si defendens velit contraiere et dicere quod non in foro admittatur ad verificandum hoc si querelans hoc velit expectare et si per inquisitionem inde factam reperiatur vel per confessionem partis quod non in foro querelans sit in misericordia pro falsa querela sua et nichillominus per novum placitum in sui natura¹ habeat ille petens suum recuperare per legem et per nouam inquisitionem de visneto illo ubi commissum fuerit perpetratum si ulterius prosequi velit. Et similiter fiat super cayum piscale et similiter de contractu vel transgressione factis in foro si partes cadant in inquisitionem capiatur illa inquisicio per homines de foro. Et si alibi in ciuitate per illos de visneto illo capiatur et hoc semper observetur. Et si compertum sit contractum seu commissum in foro fuisse perpetratum faciat querelans sectam suam infra xv dies proximo sequentes. Et si ulterius expectauerit et non fuerit prosecutus sit defendens ad legem suam si velit non obstante quod forum nominetur in querela sua.

CAPITULUM TRICESIMUM SECUNDUM.

Item in casu ubi aliquis vendat aliquem redditum assisse² in

another venue than that where the deed was committed, if the defendant wishes to say in contravention that it was not "in the market," let him be admitted to verify this if the complainant is willing to wait for it, and if by inquest made thereon or by confession of the party it be found that it was not in the market let the complainant be in mercy for his false plaint and none the less by a new plea of its kind let the petent have his recovery by law and by a new inquest from the venue where the offence was committed if he wishes to prosecute further. And in like manner let it be done upon the fish quay and in like manner concerning contract or trespass done in the market, if the parties fall to inquest let the inquest be taken by men of the market. And if elsewhere in the city let it be taken by others of that venue and let this always be observed. And if it be found that a contract or a deed was done in the market let the complainant make his suit within 15 days next following. And if he has waited longer and has not prosecuted let the defendant be at his law if he wishes, notwithstanding that the market was named in his plaint.

CHAPTER 32ND.

Also in a case where a man sells a rent of assize in the city

¹ Of the kind proper to the case.

² A rent assessed or fixed, not variable as a rent payable in kind.

ciuitate illa prouenientem de aliquo tenemento in aliena tenencia existente quam sua propria, quia ille nouus emptor suam inde plenam seisinam habere non potest sine illo qui tenet solum unde redditus ille procedit quando carta feoffamenti vel assignamenti in hoc casu secundum consuetudinem dicte ciuitatis lecta sit et recognita in plena curia coram Balliuis eiusdem curie in presencia emptoris et venditoris vel attornati ipsius emptoris per aliquem sub-balliuum dictorum Balliuorum iuratum mandetur ille tenens illius tenementi unde dictus redditus venditus procedere dicitur si emptor hoc petat quod ipse tenens statim veniat in curia coram eisdem Balliuis. Et si venit ille tenens petatur ab eo per dictos Balliuos si tenementum predictum sit de feodo seu dominio venditoris vel eidem venditori de redditu tali vendito quoquomodo oneratum vel tempore illius vendicionis reddere [consuetum] fuit. Et [si] ille tenens illa cognoscat iniungatur illi per eosdem Balliuos quod incontinentim de dicto redditu reddendo dicto emptori sit extunc intendens¹ secundum formam carte super hoc facte. Ita quod ille emptor tam plenum habeat statum in illo redditu recipiendo et de dominio

issuing out of a tenement being in another's tenancy than his own, because the new purchaser cannot have his full seisin thereof without him who holds the soil wherefrom the rent proceeds, when the deed of feoffment or assignment in this case according to the custom of the said city is read and acknowledged in full court before the Bailiffs of the court in the presence of the purchaser and vendor or the attorney of the said purchaser by one of the sworn subbailiffs of the said Bailiffs, let the tenant of the said tenement wherefrom the said rent sold is said to proceed, be sent for, if the purchaser demand it, that he may immediately come into the court before the said Bailiffs. And if the tenant comes let him be asked by the said Bailiffs whether the aforesaid tenement is of the fee or demesne of the vendor or is any way charged to the said vendor with such rent sold or was wont to render it at the time of such sale. And [if] the tenant acknowledge this let him be enjoined by the said Bailiffs that he at once take heed thenceforth concerning rendering the said rent to the said purchaser according to the form of the deed thereupon made, so that the purchaser may have as full estate in receiving that rent and in the dominion which belongs thereto according to what the

¹ This was called "attorning" himself to his new lord. A small payment was made by way of acknowledgment (see No. CXVI.).

quod inde pertinet secundum quod unquam habuit dictus venditor. Et habeat ille emptor potestatem distringendi in predicto tenemento pro redditu predicto adeo integre sicut venditor prius habuit. Et bene liceat dicto emptori in placitando si necesse fuerit aduocare¹ huiusmodi districtionem esse factam in feodo suo ratione predictæ recognicionis in curia facte et in tali casu non iaceat in ore tenentis dicere quod ipse nichil clamat de ipso emptore tenere. Si autem dictus tenens ut predictum est veniat et dicat quod tenementum suum non fuit de feodo dominico venditoris tempore vendicionis seu recognicionis dicti redditus facte [vel] in aliquo modo de dicto redditu eidem venditori oneratum statim inde fiat inquisicio si emptor hoc petit alioquin eat tenens inde sine die. Et si comperiat per inquisicionem quod predictum tenementum fuit de feodo dominico dicti venditoris [tempore] dicte vendicionis seu recognicionis dicti redditus facte vel eidem venditori ut feodum aliquo modo oneratum tunc virtute illius inquisicionis consideretur quod dictus tenens de dicto redditu dicto emptori sit intendens et dictum tenementum extunc de feodo et dominio illius teneatur et ipse emptor habeat plenam potestatem distringendi in dicto

said vendor ever had. And let the purchaser have power of distraining in the aforesaid tenement for the aforesaid rent as wholly as the vendor had before. And let it be fully lawful for the said purchaser in pleading, if need be, to make avowry that such distraint was made on his own fee by reason of the aforesaid acknowledgment made in court and in such case let it not lie in the mouth of the tenant to say that he claims to hold nothing of the said purchaser. If however the said tenant as is aforesaid comes and says that his tenement was not of the dominical fee of the vendor at the time of the sale or acknowledgment that was made of the said rent [or] was in any way charged with the said rent to the said vendor, let an inquest be at once made thereon if the purchaser claims it, otherwise let the tenant go away without a day. And if it be found by the inquest that the aforesaid tenement was of the dominical fee of the said vendor [at the time] of the said sale or acknowledgment of the said rent made or was any way charged to the said vendor as his fee then by virtue of that inquest let it be decided that the said tenant give heed to paying the said rent to the said purchaser, and let the said tenement thenceforth be held as of his fee and demesne, and let the said purchaser have full power of distraining on the said tenement of the said tenant as on his own fee

¹ Make a declaration of claim.

tenemento ipsius tenentis ut in feodo suo pro dicto redditu quando-
cunque a retro fuerit prout dictum est supra in casu ubi ille
tenens recognouit tenementum suum fuisse de feodo venditoris
ut ei oneratum. Sin autem, eat ille tenens sine die. Et si forte
ille tenens illius tenementi nolit venire in curiam ad mandatum
dictorum Balliuorum ut premittitur factum et facere in hac parte
secundum quod [? decet] de plenitudine potestatis dictorum Balli-
uorum ex officio suo ad requisicionem dicti emptoris virtute dicte
antique consuetudinis dicte ciuitatis distringatur ille tenens de die
in diem per omnia que de ipso inueniri possint tam in dicto tenemento
quam in quibuscunque aliis tenementis in eadem ciuitate ubicunque
fuerint quousque veniat ad premissa facienda virtute recognicionis
predicte in curia facte vel ostendendum si quid dicere sciat quare
dicto emptori de predicto redditu intendere non debeat. Et si
ille tenens post districciones et compulsiones dictorum Balliuorum
sibi factas veniat in curiam et dicat quod tenementum suum non
fuit de feodo nec dominio predicti venditoris die recognicionis
seruetur processus supradictus. Et si dictus tenens postquam
posuerit se in inquisicionem fecerit defaultam nichillominus capiatur

for the said rent whenever it shall be in arrear, as is said above in
the case where the tenant has acknowledged that his tenement was of
the fee of the vendor as charged to him, if not let the tenant go
without a day. And if perchance the tenant of that tenement refuse
to come into court at the mandate of the said Bailiffs made as is
premised and to do in this behalf according to what [is right], in the
plenitude of the power of the said Bailiffs, of their office, at the
request of the said purchaser by virtue of the said ancient custom of
the said city let the tenant be distrained from day to day by everything
of his which can be found as well in the said tenement as in whatsoever
other tenements in the same city wheresoever they may be until he
comes to do the above things by virtue of the aforesaid acknowledgment
made in court or to show, if he knows of anything to say, why he
should not give heed to the said purchaser concerning the aforesaid
rent. And if the tenant after the distrains and compulsions of the
said Bailiffs made upon him come into court and say that his tenement
was not of the fee and demesne of the aforesaid vendor on the day of
the acknowledgment, let the aforesaid process¹ be observed. And if
the said tenant after he has put himself on an inquest makes default,
none the less let the inquest be taken and let there be judgment and

¹ As to calling an inquest.

inquisicio et fiat iudicium et processus ut supradictum est. Et eodem modo fiat de quocunque reddito adquisito in illa ciuitate in testamento alicuius cuicunque relicto seu legato seu ad vendendum per executorem assignato. Et si per ballium testificetur in plena curia per tres dies quod dictus tenens in dominico non potest distringi vel attachiari in dicta ciuitate tunc incontinentim per consideracionem Balliuorum habeat ille adquisitor potestatem distringendi in predictis tenementis ut predictum est saluo tamen tenenti in dominico in hoc casu quod ipse possit per viam legis alia tenementa sua disonerare versus illum adquisitorem. Et si talis tenens post recognicionem huiusmodi redditus vendat vel alienet tenementum suum de quo redditus ille dicitur prouenire seruetur tunc versus primum tenentem processus predictus saluo tamen illi cui alienetur seu vendatur quod se possit iungere eidem primo tenenti ad disonerandum tenementum suum per viam legis si possit pendente processu nec iaceat Essonium per neutram partem in processu predicto nec attornatus pro tenente in dominico.

CAPITULUM TRICESIMUM TERCIMUM.

Item pro assissa panis¹ in ciuitate custodienda quatuor probi

process as is said above. And in the same manner let it be done with any rent acquired in the city [and] in any man's testament left or devised to any one or assigned to be sold by the executor. And if it be testified by a bailiff in full court for 3 days that the said tenant in demesne cannot be distrained or attached in the said city, then immediately by decision of the Bailiffs let the purchaser have power of distraining in the aforesaid tenements as is aforesaid saving however to the tenant in demesne in this case that he may by way of law discharge his other tenements against this acquirer. And if such tenant after the acknowledgment of such rent sell or alienate his tenement out of which the rent is said to issue let the aforesaid process be then observed against the first tenant, saving however to him to whom it is alienated or sold that he may join himself to the said first tenant for discharging his tenement by way of law if they can pending the process, and let not an Essoin lie for either party in the aforesaid process nor an attorney [act] for the tenant in demesne.

CHAPTER 33RD.

Also for keeping the assize of bread in the city let 4 honest and

¹ Fuller reference to the matters dealt with in Chapters 33 to 44 will be made in Vol. II., in considering the social and economic progress of the city.

homines et legales eligantur annuatim et coram communitate iurentur videlicet duo ex officio pistoris et duo alii de legalibus hominibus dicte ciuitatis qui melius sciuerint facere quod incumbit pro communi utilitate ciuitatis et patrie. Et onerentur per sacramentum suum quod bene et fideliter custodient et custodiri facient assissam. Et illi quatuor electi et iurati ement bladum et illud facient molare buletare et infurniri et panem inde prouenientem vendicioni committent Ita quod videre possint quod populus non decipiatur ymmo quod eidem recte ac fideliter seruiatur sine fraude et habeat pistor pro labore suo communem assissam antiquam in ciuitate usitatam. Et Balliui liberabunt eis pecuniam ad dictum bladum emendum et alia premissa facienda quousque panis vendatur. Et nullus pistor in ciuitate vendat panem donec idem panis vendatur et illud bladum ematur de precio mediocri. Et fiat assaia bis in anno unum [sic] videlicet post festum sancti Michaelis et aliud post festum pasche. Et nulla mensura pistoris in ciuitate nec alicuius alterius sit largior in altitudine vel in profunditate quam sit standardum domini Regis existens in custodia Balliuorum set quod omnes sint illius status in omnibus. Et si alia mensura inueniatur in ciuitate statim capiatur et saluo

lawful men be chosen yearly and let them be sworn in presence of the Community to wit, 2 from the office of baker and 2 others from the lawful men of the said city who may best know to do what lies for the common good of the city and country. And let them be charged on their oath that they well and faithfully keep and cause to be kept the assize. And these 4 elected and sworn shall buy corn and cause it to be ground and bolted and baked and the bread issuing therefrom they shall offer for sale, so that they may see that the people be not deceived but rather that they be served with it rightly and faithfully without fraud, and let the baker have for his trouble the ancient common assize used in the city. And the Bailiffs shall deliver money to them towards buying the said corn and doing the other things aforesaid until the bread is sold. And no baker in the city may sell bread until the said bread is sold and this corn is bought for a moderate price. And let an assay be made twice in the year, to wit, one after the feast of St. Michael and the other after the feast of Easter. And no baker's measure in the city nor of any other man may be larger in height or in depth than is the standard of the lord King being in the keeping of the Bailiffs but let all be of that size in all things. And if another measure be found in the city let it be

custodiatur nec cuique restituatur set tanquam forisfacta balliuis remaneat. Et delinquentes in premissis vel eorum aliquo grauiter puniantur prout decet. Item assaia vini et seruicie seruatur per balliuos in virtute iuramenti sui secundum quod iniunctum est communiter per marescallum domini Regis. Et caueant sibi Balliui quod nulla sit falsa mensura vini vel seruicie in illa ciuitate. Et quod non tabernarii neque braciatrices habeant aliquas mensuras ad inde vendendum nisi prius examinentur per standardum domini Regis et signentur signo ciuitatis per visum Balliui principalis. Et nulla mensura in ciuitate signetur nisi per visum quatuor Balliuorum principalium vel saltem unius eorum et hoc in virtute iuramenti sui prestiti in eleccione sua. Et quod signum nuncquam tradatur alicui seruienti nisi in presentia dominorum suorum.

CAPITULUM TRICESIMUM QUARTUM.

Item scrutentur vulne¹ et pondera in ciuitate usitata in manibus mercatorum existencia quicunque fuerint bis ter vel quater in anno ad voluntatem Balliuorum si sint bona fidelia competencia pro omnibus ementibus et vendentibus exinde et signentur certis

immediately seized and safe kept and not restored to any one but remain as a forfeit with the Bailiffs. And let those who offend in the above things or in any of them be heavily punished as is fit. Also let an assay of wine and ale be kept by the Bailiffs in virtue of their oath according to what is enjoined in general by the lord King's Marshall. And let the Bailiffs take heed to themselves that there be no false measure of wine or ale in the city. And that taverners and brewsters have no measures to sell with unless they be first examined by the standard of the lord King and stamped with the city stamp by the view of a chief Bailiff. And no measure in the city may be stamped except by the view of the 4 chief Bailiffs or at least one of them and that in virtue of their oath tendered at their election. And the stamp may never be delivered to any sergeant save in the presence of their masters.

CHAPTER 34TH.

Also let ells and weights used in the city being in the hands of merchants whosoever they are, be examined twice thrice or 4 times a year at the will of the Bailiffs whether they are good trustworthy competent for all buying and selling therewith, and let them be stamped

¹ Cloth measures (*vulne*). The first two letters are a double "u."

singulis sigillis ad hoc prouidendis. Et ulne et pondera que falsa poterunt inueniri seu non legalia quandocunque fuerint inuenta capiantur et suspendantur et frangantur et omnino adnichillentur. Et ita fiat de omnibus mensuris que inuente fuerint inabiles et infideles in ciuitate. Et illi cum quibus talia inueniantur pro illa transgressione grauiter puniantur et sufficientem faciant securitatem quod in posterum in illa ciuitate talia non committent. Et si post huiusmodi securitatem vel inhibitionem inde factam de huiusmodi commisso conuincantur cum super hoc fuerint conuicti grauiter redimantur ad terrorem aliorum.

CAPITULUM TRICESIMUM QUINTUM.

Item de Trona domini Regis in ciuitate illa quod de plano habeat idem¹ quod ad Tronam pertinet itaque nullus conciuis nec aliquis alius in eadem infra domum vel extra grossam nec quicunque alius quam conciuis grossam nec modicam quantitatem cuiuscunque mercandie que tronam domini Regis usitare debet

with certain several seals to be provided for this purpose. And ells and weights which shall be found false or not lawful whensoever they shall be found let them be seized and hung up and broken and altogether destroyed. And so be it done with all measures which shall be found useless and untrustworthy in the city: And let those with whom such are found be heavily punished for that transgression and find sufficient security that in future they will not commit such offences in the city. And if after such security found or inhibition made thereof they be convicted of such offence, when they shall have been convicted thereon let them be heavily ransomed to the terror of others.

CHAPTER 35TH.

Also concerning the lord King's Beam in the city, that the said [King] may clearly have what pertains to the Beam, therefore no fellow-citizen nor any other in the said [city] may sell or buy wholesale within his house or without nor any other than a fellow citizen a great [wholesale] or small [retail] quantity of any merchandise which ought to use the lord King's beam to the prejudice of the beam [in the case]

¹ The Tron or King's Beam was used for weighing heavy goods, such as wool or other goods sold by the hundredweight. On some of these the King took custom by grant of Parliament. Smaller goods sold by the pound ("Avoir de pois," *averia ponderis*), were weighed by balances (see *London Lib. Cust.* 784, s.v. *Averia ponderis*).

vendat vel emat in preiudicium trone illius de nulla mercandia que per tronam debet ponderari. Et exinde nichil sit quietum neque lana neque sepum nec aliquod genus auerii ponderis quod inde debeat usitari vel ponderari sub forisfactura ipsius mercandie ad opus domini Regis.¹ Et pro auerio ponderis debito modo ponderando habeat Tronator balancias et pondera per standardum domini Regis adeo bene quam Tronam.

CAPITULUM TRICESIMUM SEXTUM.

Item nullus mercandizet in ciuitate qui in eadem facit residenciam nisi sit ad lottum et scottum illius ciuitatis et ad omnia eiusdem auxilia contribuet. Et quod omnes qui recipiuntur in parem² ciuitatis sint liberi et non serui³ alicuius et bene

of any merchandise which ought to be weighed at the beam. And nothing is quit therefrom, neither wool nor lard nor any kind of avoir-depois which ought to be used there or weighed, under forfeit of the said merchandise to the use of the lord King. And for weighing avoir-depois in due manner the Troner may have balances and weights by the standard of the lord King as well as the Beam.

CHAPTER 36TH.

Also no one may merchandise in the city who makes his residence in the same unless he be at lot and scot of the city and contribute to the common aids of the same. And that all who shall be received as a peer of the city may be free and not serfs of anyone, [and] let

¹ It would seem that this chapter, except perhaps the last clause, is concerned with dues payable to the *King*. Tronage amounting to 10s. belonging to the *citizens* is accounted for in the Pipe Roll of 56 Hen. III. during forfeiture of the liberties.

² This interesting expression, "peer of the city," is used throughout this Custumal as the equivalent of a "citizen." It is very seldom used in any other Norwich documents. It is found in the Leet Roll of 1375, No. CCCXX. It is also met with in the Ipswich Domesday (*Black Book of the Admiralty*, Vol. II. pp. xxii. and 136*n*); and in the form "peers and commoners" of a town as traders in a fair in Maitland *Pleas in Manorial Courts*, (*Selden Society*, Vol. II. p. 152). It was perhaps used in Norwich in some old form of admission to the freedom of the city, and so survived in that connection. It will be noticed as curious that in the list of titles of the chapters of the Custumal (26, 29 and 36), the form "*par ville*" is used instead of "*par civitatis*," which is almost always used in the Custumal itself. This was no doubt a popular use, because the burgesses of other towns would be so described. Its meaning as an assertion of the equality of all citizens as distinguished from non-citizens is borne out by the whole tendency of the various customs.

³ This did not bar the admission of persons of servile birth. See the last clause,

inquiratur antequam recipiantur. Et illi qui admittentur gratis et solempniter faciant introitum suum coram illis qui ad hoc assignantur per totam communitatem singulis annis quater in anno ad terminos usuales Ita quod ad minus in talibus introitibus quandocunque contigerit sint duodecim de assignatis presentes et sine minore numero nullus admittatur quod si cecus fiat irritum sit et inane. Et quod omnes qui sic admittentur diligenter¹ examinentur per sacramentum proprium ante eorum receptionem de quantitate bonorum suorum secrete per illos duodecim et per alios qui noticiam habent ipsius et facultatum suarum per sacramentum in hac parte prestandum. Et si ille forinsecus et non extiterit apprenticius in ciuitate non minus recipiatur quam pro viginti solidis communitati soluendis. Et ulterius det secundum quod sue suppetant facultates. Et nullus apprenticius admittatur ad parem ciuitatis nisi bonum habeat testimonium de domino suo et visneto illius et nullo modo pro minori precio quam una marca. Et [si] huiusmodi apprenticii facultates ulterius possint sufficere illa vice plus det pro introitu suo secundum ordinacionem illorum duodecim. Et nomina illorum

enquiry be well made before they are received. And let those who shall be admitted voluntarily and solemnly make their entrance, before those who are assigned for that purpose by the whole community every year, 4 times in the year at the usual terms, so that at least in such entries whensoever they fall there be 12 of those assigned present and without [sic] a less number let no one be admitted, which if it be otherwise done let it be worthless and void. And that all who shall be thus admitted be carefully examined by their proper oath before their reception concerning the quantity of their goods secretly by those 12 and by others who have knowledge of him and his means by the oath to be tendered on that behalf. And if he be a foreigner and has not been an apprentice in the city let him not be received for less than 20 shillings to be paid to the community. And let him further give according as his means may suffice. And let no apprentice be admitted as a peer of the city unless he have good testimony from his master and his venue and in no wise for a less price than one mark. And [if] the means of such an apprentice can further suffice in that case let him give more for his entrance according to the ordinance of those twelve. And let the names of those 12 at

¹ The MS. has "admittentur" after "diligenter" as well as before, probably by error of the copyist in the *Book of Pleas*.

duodecim ad quemlibet introitum irrotulentur et nomen illius intrantis in uno Rotulo indentato et dupplicato et finis illius intrantis et plegii sui et terminus solucionis sue et annus et dies et nomen clerici iurati qui habebit unum rotulum penes se et alius remanebit in communi cista.¹ Et nullus alius irrotulet quam clericus ille iuratus. Et quilibet ingrediens dabit clerico sex denarios pro labore suo. Et ille nouus par ciuitatis bonam securitatem faciet quod infra annum sue recepcionis in parem impetrabit sibi certum habitaculum nisi prius habuerit in illa ciuitate ad morandum in eodem cum familia sua et bona sua mobilia ad dictam trahet ciuitatem. Et si non fecit post annum completum habeatur pro extraneo cum sequela sua sicut prius. Et nullus ingrediens illo anno [in quo] facit introitum suum quicquam dabit lottum neque aliud auxilium in eadem ciuitate nisi tantummodo ad muros eiusdem ciuitatis faciendos [vel] si necesse fuerit reparandos set propter hoc non erit quietus versus dominum Regem si contingat ipsum aliquod auxilium vel tallagium in eadem imponere cum voluerit unde nullus se poterit excusare. Et si seruus velit ingredi primo querat licenciam domini sui per literas suas patentes.

any entry be enrolled and the name of the entrant in a Roll indented and duplicated and the fine of the entrant and his pledges and the term of his payment and the year and day and the name of the sworn clerk, who shall have one roll in his possession and the other shall remain in the common chest. And let none other enroll than the sworn clerk. And every one on his entry shall give to the clerk 6 pence for his labour. And the new peer of the city shall find good security that within a year of his reception as a peer he will obtain for himself a fixed habitation, unless he had one before in the city, to dwell in the same with his family and let him bring his movable goods to the said city. And if he has not done it after a full year let him be held for a stranger with his family as before. And no one entering shall in the year [in which] he makes his entry give any lot nor any aid in the said city except only an aid for making [or] if need be for repairing the walls of the said city, but he shall not on this account be quit towards the lord King if he happen to impose when he wills any aid or tallage in the same, whereof none may excuse himself. And if a serf wishes to enter let him first seek license of his lord by his letters patent.

¹ No such rolls as these have survived.

CAPITULUM TRICESIMUM SEPTIMUM.

Item nullus conciuis ciuitatis nec aliquis alius commorans in eadem nec in eius suburbio nec quiuis alius quicunque fuerit carnes pisces volatilia oua caseum butirum nec aliquid aliud genus ciborum in foro super cayum in aqua in domo curia vico venella nec in aliquo loco in eadem ciuitate nec eius suburbio emat ad vendendum aliis nec emere presumat nec per arras suas aut argentum dei¹ attachiet quocunque colore quesito arte vel ingenio² quousque ad missam beate Marie ad ecclesiam sancte Trinitatis pulsetur³ singulis diebus aliquo tempore anni. Et quod nullus adeat obuiando per vicos stratas seu venellas nec per alia loca ciuitatis aut suburbii eiusdem nec extra eciam per unam leucam itineris per terram nec per aquam pro nullo premissorum emendo per quod huiusmodi venalia cibaria versus ciuitatem adducentes vel portantes ad vendendum quoquomodo impediuntur ad forum publicum et commune ciuitatis veniendo et premissa ibidem vendendo libere cuicunque ea emere volenti ab eisdem Ita quod nichil vendicione cariori in eadem ciuitate vendatur quam

CHAPTER 37TH.

Also no fellow citizen of the city nor any other dwelling in the same nor in its suburb nor any other whosoever he be may buy to sell to others meat fish fowls eggs cheese butter nor any other kind of food in market on quay on water in house court street lane nor in any place in the said city nor its suburb nor may presume to buy nor by his earnestes or God's money attach [them] under whatsoever colour demand device or fraud until the bell has sounded for the mass of the Blessed Virgin at the Church of the Holy Trinity every day at any time of the year. And that no one may go to meet by roads streets or lanes nor by other places of the city or its suburb nor outside even for one league of journey by land nor by water for buying any of the aforesaid [goods], whereby persons leading or carrying towards the city vendible foods of such kind for sale may be in any wise hindered from coming to the public and common market of the city and there selling the aforesaid freely to any one wishing to buy them from the same, so that nothing may be sold in the said city by

¹ On "God's penny," see Pollock and Maitland, II. 208.

² Fr. (*mal*) *engin*.

³ The "hour of prime." Cf. *Leet Jurisd.*, &c., pp. 31 and 56 with p. 80.

fieri debet et solet ne populus ciuitatis et patrie per huiusmodi emptores dampna incurrat. Et quod nullus qui talia victualia versus ciuitatem adducit vel portat quoquomodo impediatur quominus illa in publico foro cuicunque ea emere volenti libere vendere valeat usque ad horam predictam. Et quicunque inuenti fuerint contra premissa venientes et querela vel offencio boni viri balliuis ciuitatis super hoc fiat et talis delinquens super hoc conuincatur reddat ipse conuictus querelanti dampna sua et grauiter amerietur versus Balliuos siue inuentus fuerit talis ad querelam siue ex officio balliuorum illa vice. Et [si] iterum super consimili delicto conuincatur in ciuitate perpetrato perdat totam mercandiam ad opus Balliuorum et nichillominus ponatur super pilloriam per consideracionem et iudicium curie ciuitatis Ita quod eius punicio sit metus aliorum et populo manifestetur eius culpa Et fiat publica proclamacio in foro de causa punicionis sue in hac parte. Et predicta punicio non redimatur nec Balliui habeant potestatem huiusmodi punicionem redimendi et illud tangit totam communitatem et populum tocius patrie nec illius executionem dissimulandi nec differendi seu retardandi ymmo

a dearer sale than ought and is wont to be done, that the people of the city and country may not suffer loss through such buyers, and that no one who leads or carries such victuals towards the city may be in any wise impeded from being able to sell them freely in the public market to any one wishing to buy them up to the aforesaid hour. And all who shall be found contravening the above and a complaint or charge of a good man be made to the Bailiffs thereupon and such offender be convicted thereof let him that is convicted restore to the complainant his losses and let him be heavily amerced towards the Bailiffs whether such a man be found on a complaint or on that occasion by the office of the Bailiffs. And if a second time he be convicted of the like offence perpetrated in the city let him lose all his merchandise to the use of the Bailiffs and nevertheless let him be set upon the pillory by the decision and judgment of the court of the city, so that his punishment may be the terror of others and his fault may be made manifest to the people, and let public proclamation be made in the market concerning the cause of his punishment in this matter. And the aforesaid punishment may not be redeemed nor may the Bailiffs have power to redeem such punishment (for that thing touches the whole community and the people of the whole country) nor to dissemble nor defer or delay its execution,

incontinentim cum fuerit conuictus illud iudicium reddendi et complendi in virtute iuramenti sui. Et si tertia vice inueniatur talis delinquens in ciuitate non obstantibus punicionibus predictis perdat ut prius mercandiam illam et puniatur ut prius et statim abiuret ciuitatem per unum annum et unum diem et nichillominus reddat dampna querelanti si unde habeat. Et si postmodum in casu ciuitatem reuertatur in eadem moraturus inueniet bonam securitatem quod talia nuncquam committat in eadem. Et nullus conciuis vel seruiens ciuitatis tales in suis maleficiis foueat nec manuteneat aut defendat quoquomodo quod [?quia] de talibus maximum scandalum oritur ciuitati et indies poterit oriri. Et quicumque conuinci poterit quod tales contra libertatem et consuetudinem et ordinacionem communitatis ab antiquo in premissis factas in huiusmodi malicia fouere presumit vel defendere minus iuste sit talis factor vel defensor in forisfacturam dimidie marce ad communem utilitatem ciuitatis quotiens et quando sic poterit conuinci que incontinentim postquam conuictus fuerit per Balliuos leuetur et camerariis ciuitatis liberetur qui hoc faciant irrotulari et inde inter cetera compotum suum reddant.

rather immediately when he shall be convicted [they ought] to render and fulfil that judgment in virtue of their oath. And if a third time such offender be found in the city the aforesaid punishments notwithstanding, let him lose his merchandise as before and be punished as before and straightway abjure the city for a year and a day and none the less let him render damages to the complainant if he has wherefrom [to do it]. And if afterwards perchance he returns to the city to dwell there, let him find good security that he will never commit such things therein. And let no fellow citizen or sergeant of the city encourage such men in their evil doings or maintain or defend them in any wise, because by such very great scandal arises in the city and may daily arise. And whosoever can be convicted of presuming to encourage and wrongfully defend such persons in such like ill doing contrary to the liberty and custom and ordinance of the community made of old in the aforesaid matters, let such aider or defender be in forfeit of half a mark to the common profit of the city as often as and when he can be so convicted, which [forfeit] immediately after he has been convicted must be levied by the Bailiffs and delivered to the Chamberlains of the city who shall cause it to be enrolled and render account thereof amongst other things.

CAPITULUM TRICESIMUM OCTAUM.

Item quia mercandia in ciuitate est et esse debet¹ communis omnibus qui sunt pares ciuitatis et quidam contra rationem et ciuitatis consuetudinem habent ex usu faciendi empciones suas per duos tres vel quatuor aut plures seruientes suos vel alios quos voluerint pro de suo eisdem dando quos aduocant pro seruientibus suis propriis seu ministris ad habendum duas tres vel quatuor partes vel amplius illius mercandie versus parem ciuitatis nullus de cetero tales empciones faciat in ciuitate nisi per se ipsum vel unum seruientem suum tantum [Ita] quod conciuēs sui et pares eiusdem qui huiusmodi empcionibus et mercandis se voluerint immiscere² non impediuntur quin illi equaliter proficere poterint iuxta eorum facultatem prout debent in premissis. Et quicumque inueniri poterint contrahere et per querelam et officium Balliuorum conuincantur habeat querelans suum recuperare de dampnis suis et rationabilem partem suam in illa mercandia et ille perturbator grauiter amercietur versus Balliuos

CHAPTER 38TH.

Also because merchandise in the city is and ought to be common to all who are peers of the city, and certain persons contrary to reason and the custom of the city have a practice of making their purchases by 2, 3, or 4 or more of their servants or by others whom they choose by giving them of their own, whom they avow for their proper servants or ministers, so that they have 2, 3, or 4 parts or more of that merchandise as against a peer of the city, let none henceforth make such purchases in the city save by himself or one of his servants only, so that his fellow citizens and peers of the same who may wish to join in such purchases and merchandise be not hindered from sharing equally according to their means as they ought in the above matters. And whosoever can be found to contravene in this way and be convicted of it by complaint or office of the Bailiffs, let the complainant have his recovery of his damages and his reasonable part in that merchandise and let that perturber be heavily amerced towards the Bailiffs for his

¹ The MS. has "communibus communis omnibus," which might mean "common to all commons who are peers." But the word "communes" in this sense is so extremely rare, and never means one who is not a citizen, that it is probably inserted in error by confusion with the next word.

² Every citizen who was present when a favourable bargain was being made by another citizen might claim a share in it.

pro culpa sua. Et [si] nulla sit inde querela nec ostensio Balliuis super [hoc] facta et huiusmodi delictum inhibitum in ciuitate reperiatur esse commissum inquirant Balliui ex officio frequenter cum eis visum fuerit de huiusmodi delictis commissis et culpabiles ita puniantur ut eorum pena sit metus aliorum et scandalum ab hoc in ciuitate et patria deleatur ne communitas in defectum Balliuorum remedium apponere cogatur.

CAPITULUM TRICESIMUM NONUM.

Item quod nullus conciuvis vel par ciuitatis aliquem recipiat seruientem suum ad societatem in mercandia facienda emendo vel vendendo quocunque colore priusquam ille seruiens fecerit introitum suum solempniter et deueniet par ciuitatis nec in apprenticium suum ut lucretur ad opus suum proprium vel participet lucrum cum eodem domino suo. Et si quis poterit conuinci in hac parte erit in forisfactura xl solidorum ad commune auxilium ciuitatis qui statim leuentur de bonis suis postquam conuictus fuerit et camerariis ciuitatis per Balliuos liberentur et in utilitatem ville conuertantur et hoc nullo modo omittatur.

fault. And if there be no complaint thereof and no notice made thereon to the Bailiffs and such an offence forbidden in the city be found to have been committed, let the Bailiffs frequently enquire officially when it shall seem good to them concerning this offence being committed and let the guilty be so punished that their penalty may be a terror to others and the scandal thereat in the city and country may be blotted out, that the Community be not compelled, in default of the Bailiffs, to apply a remedy.

CHAPTER 39TH.

Also that no fellow-citizen or peer of the city may receive his servant into partnership in making merchandise by buying and selling under whatever pretext before the servant has solemnly made his entry and become a peer of the city, nor as his apprentice in order that he may make gain to his own proper use or share gain with his said master. And if any one can be convicted in this way he shall be in forfeit of 40 shillings to the common aid of the city which shall be forthwith levied from his goods after he has been convicted and delivered to the Chamberlains of the city by the Bailiffs and converted to the profit of the town and let this in no wise be omitted.

CAPITULUM QUADRAGESIMUM.

Item quod nullus carnifex abrocarius neque ceteri qui dicuntur tiplers¹ nullo modo emant nec per denarium nec per argentum dei² annonent nomine annone id est arnest attachient blada animalia nec aliquod aliud venale quod venerit ad ciuitatem ad vendendum nisi statim post illius empcionem parati sint ad pacandum venditori pro mercandia ab eodem empta. Ita [quod] patriote non dilatentur nec impediuntur in eorum pacacione recipienda et negocia sua alicui de ciuitate inde facienda. Et quod nulla feleuga³ fiat in eadem mercandia sic vendita et empta postquam emptor post visum et conuencionem rei empte noticiam habeat si quod venditor plene habeat querelans dampna sua secundum quantitatem mercandie et dilationem sibi factam in pacacione sua et nichillominus ille delinquens grauter amercietur versus Balliuos si habeat unde et si non habeat unde puniatur bene alio modo iuxta arbitrium Balliuorum. Et si hoc fecit ex consuetudine et super hoc conuincatur puniatur per pilloriam et nichillonimus satisfaciatur

CHAPTER 40TH.

Also that no butcher broker nor the others who are called tiplers may in any wise buy nor by money nor by God's silver in the name of "annona," that is "arnest" attach corn animals nor any other vendible which shall come to the city for sale unless they are prepared forthwith after the purchase to satisfy the vendor for the merchandise purchased from him. So that the countrymen may not be put off nor hindered in receiving their payment and doing their business therewith with some one in the city. And that no [?] be made in the said merchandise so sold and bought after the buyer upon view and covenant of the thing bought [. . .] if the seller have knowledge thereof let the complainant fully have his damages according to the quantity of the merchandise and the delay made in giving him payment, and nevertheless let the offender be heavily amerced towards the Bailiffs if he have wherefrom and if he have not wherefrom let him be well punished in some other way at the will of the Bailiffs. And if he does this customarily and be convicted thereon let him be punished with the pillory and nevertheless give satisfaction to the complainant of the damages to be

¹ Alehouse keepers.

² See ch. 37. The use of "annona" (corn) for "earnest" is most unusual. The whole chapter seems corrupt.

³ The meaning of this word is uncertain. It might be connected with "felagus," a fellow or partner. The sentence is unintelligible as it stands.

querelanti de dampnis suis adiudicandis. Et si alias poterit conuinci tunc abiuret ciuitatem per annum et diem &c. ut in xxxvij^o capitulo.

CAPITULUM QUADRAGESIMUM PRIMUM.

Item nullum genus mercandie ut blada pisces carnes et animalia panni lana mercimonia precium¹ auerium ponderis nec quicquam aliud venale quod venit ad ciuitatem per terram vel per aquam in eadem ciuitate quoquomodo occultetur neque in curia neque in domo ad excludendum vel impediendum dominum Regem nec eius ministros de consuetudine inde debita vel tolneto suo nec aliquis in ciuitate aduocet bona extraneorum tamquam sua sub aliquo colore nec faciat conductum a villa nec versus villam de bonis extraneis palam vel occulte sub aliquo velamine ut sua propria per quod consuetudo vel tolnetum Regium asportetur et perdatur contra statutum et libertatem ciuitatis. Et illi [qui] de huiusmodi delicto poterint conuinci dupplicabunt consuetudinem et tolnetum domini Regis et sint in forisfacto ad commune auxilium ciuitatis et pro sacramento suo violato de quadraginta solidis statim post huiusmodi conuiccionem per Balliuos leuandis et camerariis ville liberandis

adjudged. And if he can be convicted in other cases then let him abjure the city for a year and a day &c. as in Chapter 37th.

CHAPTER 41ST.

Also no kind of merchandise as corn fish meat and animals cloths, wool, merchandise, avoir de poids nor any other vendible which comes to the city by land or by water may in any wise be hidden in the same city neither in court nor in house to shut out or impede the lord King or his ministers from the custom due therefrom or his toll, nor may any one in the city avow the goods of strangers as their own under any colour, nor convey from the town nor towards the town strangers' goods secretly or openly under any pretext as his own, whereby the custom or toll of the king is carried off and lost contrary to statute and the liberty of the city. And those [who] can be convicted of such an offence shall double the custom and toll of the lord King and let them be in forfeit to the common aid of the city, for the violation of their oath, 40 shillings to be levied by the Bailiffs forthwith after such conviction and delivered to the Chamberlains of the town and that as

¹ This word is underlined as doubtful in the *Book of Pleas*.

toiciens quociens super hoc poterint conuinci de quibus xl solidis medietas communitati et alia medietas Balliuis pro eorum labore remaneat quiete Ita quod vigiles sint in premissis.

CAPITULUM QUADRAGESIMUM SECUNDUM.

Item quod nullus extraneus hospitetur in ciuitate ultra unum diem et unam noctem nisi hospes suus sit respondens pro eodem et si aliquo casu pro debito et pro transgressione in ciuitate facta extraneus querat fugam unde secta facta sit versus eundem statim defendantur bona et catalla per Balliuos in manu hospitis sui et de eisdem habeatur visus qui et quantum sit defensum ibidem et nullo modo illa deliberentur quousque talis extraneus se attachiauerit de stando recto et de satisfaciendo illi cui tenetur secundum quod per legem et ciuitatis consuetudinem ostendere poterit versus eundem quod inde ei satisfacere debet. Et si talis hospes huiusmodi bona et catalla contra defensionem sibi factam deliberauerit respondeat ille hospes de debito petito et de transgressione facta petenti et querelanti ad valorem rei prohibite in manu sua secundum quod faceret principalis si conuincetur. Et si licet predictus hospes sic satisfaceret querelanti

often as they can be convicted thereon, of which 40 shillings let half remain quietly with the Community and the other half with the Bailiffs for their trouble, provided they be vigilant in the above matters.

CHAPTER 42ND.

Also that no stranger be entertained in the city beyond one day and one night unless his host is answerable for him and if by any chance for debt and for transgression done in the city the stranger seeks flight, whereof a suit is made against him, forthwith let the goods and chattels in the hand of his host be laid under prohibition by the Bailiffs and view had of them what and how much is there bound, and let them in no wise be delivered up until such stranger has attached himself to stand to right and to make satisfaction to him to whom he is bound according to what by law and custom of the city he can show against him that he ought to satisfy him thereof. And if such host contrary to the prohibition laid upon him shall deliver up such goods and chattels let the host answer, for the debt sued and the transgression done, to the petent and complainant to the value of the prohibited thing in his hand according to what the principal would do if he were convicted. And although the aforesaid host thus satisfies the

tamen versus Balliuos grauiter amercietur pro eo quod illa liberauit contra defencionem eorum et nullum extraneum ultra dictum terminum recipiat nisi velit suo periculo pro ipso respondere secundum formam statuti domini Regis.

CAPITULUM QUADRAGESIMUM TERCIVM.

Item quia plures seruientes operantes cum diuersis hominibus de ciuitate in diuersis officiis unum denarium pro diurno &c. qui nichil aliud habent nisi officium tale pro quibus¹ sepius allegatum est in ciuitate in pluribus querelis et in diuersis in premissis factis versus tales qui nichil habent per quod possint attachiari unde maiorem audaciam sibi assumant delinquendi pro eo quod corpora in quibusdam casibus non sunt aristanda ut maliciis huiusmodi hominum decetero obuietur ut fiebat ab antiquo. Et quod domini sui non sunt pro eis respondentes eo quod non sunt de manupastu eorum quia recipiunt denarium diurnum pro denario operis ut predicitur. Quod tales cum aliquis versus eos per vadium et plegium sequatur pro aliqua transgressione per eos commissa in ciuitate nullus eum recipiat in aliquo opere faciendo quousque

complainant none the less let him be heavily amerced towards the Bailiffs for that he delivered up the things contrary to their prohibition, and let him receive no stranger beyond the said term unless he wills at his own risk to answer for him according to the form of the statute of the lord King.

CHAPTER 43RD.

Also because many servants working with diuers men of the city in diuers occupations [at] one penny for daily &c. who have nothing except such work for [? in respect of] whom it is often alleged in the city, in many complaints and in diuers things done in the above matters, against such that they have nothing by which they can be attached, whence they assume to themselves the greater boldness of offending, for that their bodies in certain cases cannot be arrested so that a stop may henceforth be put to the evil doings of such men as was done of old, and because their masters are not answerable for them for that they are not of their mainpast because they receive a penny a day for a penny of work as is aforesaid, [therefore as to] such when anyone makes suit against them by wed and pledge for any transgression committed by them in the city, no one may receive the offender in doing any work until he

¹ Though the general sense of this chapter is clear, much of the language is very obscure.

se iusticiauerit legi. Et si quis veniat in contrarium grauiter amercietur versus Balliuos. Et quod tales delinquentes si se nolint iusticiare propter operis amissionem in hoc casu non permittatur in ciuitate morari.

CAPITULUM QUADRAGESIMUM QUARTUM.

Item quia fossata ciuitatis non modicum deteriorantur propter fedacionem animalium diuersorum communiter proclametur quater in anno de vico in vicum et de porta ad portam quod unusquisque habens animalia in ciuitate illa faciant custodire a fossatis. Et si ita sit quod aliquomodo inuentum in eisdem capiatur et detineatur per custodes portarum quousque dominus illius animalis soluerit ad emendacionem fossatorum vel ad muragium pro quolibet pede animalis unum denarium. Et ipse qui ea sic ceperit habebit pro labore suo de singulis quatuor denariis sic receptis unum denarium Ita quod per sacramentum suum fideliter capiat et custodiet omnia animalia ibidem inuenta et denarios inde receptos integros persoluat ad muragium predictum sine aliquo parcendo et ad hoc semel in anno iurabit quilibet custos portarum [qui] in tempore fuerit in perpetuum.

has justified himself to the law. And if any one contravenes this let him be heavily amerced towards the Bailiffs. And such offenders if they will not justify themselves by reason of loss of work, in that case let them not be permitted to dwell in the city.

CHAPTER 44TH.

Also because the ditches of the city are not a little damaged by the fouling of divers animals let it be commonly proclaimed 4 times a year from street to street and from gate to gate that everyone having animals in the city cause them to be kept away from the ditches. And if it so be that one is in any way found in the same let it be seized and detained by the keepers of the gates until the master of that animal has paid towards the repair of the ditches or for murage one penny for every foot of an animal. And he who has so seized it shall have for his trouble one penny for every 4*d.* thus received. So that by his oath he faithfully seize and keep all animals there found and wholly pay the money thus received to the aforesaid murage without any sparing, and to this every keeper of the gates that for the time may be shall swear once a year for ever,

CAPITULUM QUADRAGESIMUM QUINTUM.

Item quia conciuēs ciuitatis predicte cum opus fuerit communem habere convocacionem pro communi commodo ciuitatis et patrie licet ita sit et [? ut] somoneti sint ad veniendum de communi negocio tracturi venire non curant¹ unde plura negocia ciuitatis sepius remanent infecta ad magnum dicte ciuitatis detrimentum pro tali somonicionē faciendā conuocando communitatem eandem fiat somonicio sicut fieri consuevit de melioribus et discreciōribus eiusdem ciuitatis ad conueniendum certis diebus eis assignatis per seruientem Balliuorum iuratum de qualibet leta videlicet duodecim vel decem vel octo pro quantitate lete ad tractandum de communi negocio ciuitatis et ille seruiens cuiuslibet lete veniat paratus cum pannello suo et proclamet omnes somonitos ad dictum diem. Ita quod fiat proprie persone cuiuslibet somonitio vel ad eius domum uxori sue vel familie eiusdem et fideliter testificetur somonicio sibi facta et non alia. Et somoneti nominatim vocentur et super contumaces fiat crux et resomoneantur ad crastinum quod veniant coram balliuis et aliis bonis viris de ciuitate ad hoc intendētibz ad sanandum

CHAPTER 45TH.

Also because the fellow-citizens of the said city, when need has been to have a common assembly for the common advantage of the city and country, although it is the case that they have been summoned to come to treat of the common business, do not trouble to come whereby much business of the city often remains undone to the great detriment of the said city, for making such summons in calling the said community let the summons be made as it has been wont to be done of the better and more discreet persons of the said city to come on certain days assigned to them by the sworn sergeant of the Bailiffs from each leet, to wit, 12 or 10 or 8 according to the size of the leet to treat concerning the common business of the city, and the sergeant of every leet is to come prepared with his panel and proclaim all who have been summoned for that day. So that the summons of each particular person be made either at his house to his wife or to his household and let the summons made to him and no other be faithfully testified. And let those summoned be called by name and let a cross be set against the contumacious and let them be resummoned for the morrow to come before the bailiffs and other good men of the city attending to this matter to purge their default if they can and set forth

¹ On the bearing which this and the two following chapters have on the question of the development of a select body of 24 citizens, see Introduction III. 9, and IV. 5.

illam defaultam si possint et rationabilem excusacionem ibidem pretendant si propter grauem infirmitatem fuerant impediti vel quod non fuerant in ciuitate tempore somonicionis predictæ et super hiis faciant fidem. Et nisi sic poterit defaultam sanare vel alio modo fideli et euidenti vel rationabili se excusare amercietur ad duos solidos argenti unde balliui medietatem habebunt pro eorum labore et alia medietas communitati remanebit et illud amerciammentum statim leuetur sine aliqua dilacione per unum de seruientibus Balliuorum iuratum et clericum communitatis qui hoc communitati et Balliuis liberabunt. Et camerarii idem faciant irrotulari quid quantum et a quibus recipietur per annum et inter cetera inde reddant compotum suum. Et tales somoniciones non fiant ad communitatem conuocandam nisi ad dies solempnes quando forum non sit in ciuitate propter commodum mercatorum et eorum impedimentum nisi ita sit quod oporteat fieri pro aliquo speciali negocio tangente specialiter dominum Regem vel urgentissimum negocium ciuitatis tocus ubi vertitur periculum eiusdem in quo casu non potest aliquod tempus [sic] haberi consideracio.

CAPITULUM QUADRAGESIMUM SEXTUM.

Item ut quodcunque artificium siue officium in ciuitate usitatum

there a reasonable excuse, whether they had been hindered by grievous sickness or that they had not been in the city at the time of the aforesaid summons, and let them give assurance [? by oath] on these points. And if a man cannot so purge his default or in any other way faithfully and plainly and reasonably excuse himself let him be amerced in two shillings of silver whereof the bailiffs shall have half and the other half shall remain to the community and let that amercement be forthwith levied without any delay by a sworn sergeant of the Bailiffs and the clerk of the community who shall deliver it to the community and the Bailiffs. And let the chamberlains cause it to be enrolled what how much and from whom it is received annually and amongst other things let them render their account thereof. And such summonses are not to be made for calling together the community except on holy days, when there is no market in the city, by reason of the convenience of the merchants and their hindrance, unless it be that it ought to be done for some special business specially touching the lord King or very urgent business of the whole city wherein turns peril to the same, in which case no consideration of any time can be had.

CHAPTER 46TH.

Also in order that every craft or industry used in the city may be

bene et fideliter et sine fraude usitetur secundum quod debet ita quod scandalum contra ciuitatem in premissis non poterit oriri. Et eligantur singulis annis per balliuos et viginti quatuor de ciuitate communiter electos duo vel tres vel quatuor de potencioribus et fide dignioribus de singulis officiis seu aliis qui noticiam habent in premissis secundum maioritatem et minoritatem cuiuslibet officii seu artificii in ciuitate usitati. Et illi electi iurentur super sacrosanctis euangeliiis quod bene et fideliter et plene singuli eorum officia seu artificia in ciuitate usitata frequenter visitabunt et scrutabunt ad minus quater in anno et alias si necesse fuerit per medium et per totum in quantum¹ possint [ita] quod fraus dolus nec falsitas in eisdem officiis seu artificiis aut operibus operetur fiat vel usitetur quoquomodo et hoc sine alicui parcendo et quod omnem fraudem dolum et falsitatem quandocunque et quotienscunque per ipsos inueniatur bene fideliter ac totum modum inuentum absque aliqua ficcione seu coloracione Balliuis et viginti quatuor presentabunt sine aliquo concealamento ut prefati Balliui et xxiiii^{or} nomine communitatis electi debitas et competentes inde facere possint emendas et huiusmodi scandalum quatenus est in ipsis amouere et delinquentes sic punire et

used well and faithfully and without fraud according as it ought, so that no scandal should arise against the city in such matters, let there be chosen every year by the bailiffs and twenty-four of the city commonly elected 2 or 3 or 4 of the more able discreet and trustworthy of each industry or others who have knowledge in such matters according to the greater or smaller size of each industry or craft used in the city. And let those elected be sworn on the holy Gospels that well and faithfully and fully every one of them will visit and search every industry or craft used in the city frequently at least 4 times a year and at other times if it should be necessary in part or in whole so far as they can so that no fraud deceit or falsity in the said industries or crafts or works may be wrought done or used in any way, and that without sparing any, and that every fraud deceit or falsity whensoever and how often soever it is by them found they will well and faithfully and the whole method found without any feigning or colouration present to the Bailiffs and 24 without any concealment in order that the Bailiffs and 24 elected in the name of the community may exact due and sufficient amends thereof and so far as in them lies may remove such scandal, and so punish and chastise the

¹ The MS. has "sciant" before "possint."

castigare ut ceteri in hoc capiant exemplum in futuro et ad honorem totius ciuitatis et in eadem degencium et patrie commodum vertatur et honorem ciuitatis cedat in posterum. Et si ipsi iurati et electi ad faciendum negligentes se habeant et super hoc conuincantur aut aliquod concealmentum fecerint in premissis per communem consideracionem viginti quatuor electorum a communitate grauiter amercientur ut consensientes huiusmodi falsitatibus in ciuitate perpetratis contra iuramentum suum et deponantur et alii loco ipsorum statim eligantur et iurentur.

CAPITULUM QUADRAGESIMUM SEPTIMUM.

Item quia tallagia et cetera mise pro auxilio et necessitate ciuitatis communi sepius assessa et imposita a quibusdam leuantur et a quibusdam non unde medius¹ populus ciuitatis illius et pauperes in eadem degentes et conuersantes grauiter se sensiant lesos et grauatos collectores ad huiusmodi tallagia et misas deputati et receptores ac camerarii ciuitatis quicunque fuerint teneantur singulis annis compotum inde reddere ad festum natiuitatis beate Marie et

delinquents that others may take example thereat for the future and that it may turn to the honour of the whole city and those that dwell therein and the advantage of the country and may further the honour of the city henceforth. And if those who are sworn and elected to do this conduct themselves with negligence and be convicted thereon or do any concealment in such matters, let them be heavily amerced by the common decision of the 24 elected by the community as consenting to such falsities committed in the city (contrary to their oath) and let them be deposed and others forthwith elected and sworn in their place.

CHAPTER 47TH.

Also because tallages and other payments for the aid and common need of the city often when assessed and imposed are levied from some and from some not, whereby the middle people of the city and the poor dwelling and making their living therein feel themselves grievously injured and burdened, let the collectors appointed for such tallages and payments and the receivers and the chamberlains of the city, whosoever they are, be bound every year to render an account thereof at the feast of the Nativity of the Blessed Mary and at other times of the year when it

¹ The mention of "middle people" besides "great" (or rich) and poor is unusual. It occurs in a Petition which also refers to taxation. (Ancient Petition, 6435, No. XXXVI.) See Introduction III. 2.

alias in anno cum visum fuerit coram viginti quatuor vel maiore parte eorundem qui in ciuitate fuerint et hoc per iuramentum a singulis recipiendum. Et cum fideliter computauerint et recepta sua una cum arreragiis si que tunc fuerint plene reddiderunt fiat eis bona adquietancia que sit eis competens pro ipsis et heredibus et executoribus suis pro tempore quo fuerunt collectores in premissis. Ita quod possint scire ubi et in quibus usis pecunia sic leuata expensa fuerit¹ per quod medius populus et pauperes predicti ultra modum non grauentur. Et quod maiores non transeant quieti ut actenus fecerunt. Et quod huiusmodi tallagia et mise cum oporteat imponi semper imponentur per discretiores cuiuslibet operis usitati in ciuitate predicta ad hoc specialiter de communi consensu electos et iuratos quociens necesse fuerit et non per alios nisi in eorum defectu.

CAPITULUM QUADRAGESIMUM OCTAUM.

Item execuciones post iudicia in curia ciuitatis reddita in placito debiti transgressionis seu alio quocunque modo ubi dampna sunt disrationata statim precipiatur districcio facienda pro dampnis

seems good before the 24 or the major part of them who shall be in the city and that by oath to be taken from each one of them. And when they have faithfully accounted and fully rendered their receipts together with arrears if there were any then, let a good acquittance be made to them which shall be sufficient for them, for themselves and their heirs and executors, for the time when they were collectors in the above. So that they may know where and in what uses the money so levied was spent, whereby the middle people and the poor aforesaid may not be burdened beyond measure and that the greater men may not go through quit as hitherto they have done. And that such tallages and payments when they have to be imposed may always be imposed by the discreeter of every work used in the city aforesaid for this purpose specially elected and sworn by common consent as often as need shall be and by no others save in their default.

CHAPTER 48TH.

Also [with regard to] executions after judgments rendered in the court of the city in a plea of debt trespass or in any other way where damages are proved let order be at once given for making distraint for

¹ This chapter may be based on one of the Ordinances granted to London by Edward II. in 1319 (Birch, *Historical Charters, &c.*, p. 46).

sicut pro principali bene ad valorem rei disrationate et amplius et ille districciones ponantur in certa custodia. Et dicatur illi super quem talis districcio currit quod ipse satisfaciat aduersario suo infra octo dies proximos sequentes. Et nisi fecerit et permittat fieri super ipsum aliam districcione[m] et primam per illos octo dies non adquietauerit Ita quod contempnit satisfacere per quindenam tunc pro illo contemptu veniat prima districcio in plenam curiam coram Balliuis et aliis de curia illa et ibidem in presencia illius super quem fiet districcio si venire velit ad hoc premunitus apprecietur illa districcio per iuramentum fide dignorum et liberetur statim illi qui disrationauit versus eundem per idem precium appreciatum. Et si illa districcio plus apprecietur quam res disracionata se extendit residuum valoris eiusdem fideliter restituatur illi a quo capta fuit illa districcio. Et similiter fiat de districcione[m] factis pro communi auxilio ciuitatis et liberentur camerariis eiusdem.

CAPITULUM QUADRAGESIMUM NONUM.

Item quod seruientes narrantes¹ pro clientulis suis in curia

damages as for principal to the full value of the thing proved and more and let those distrains be placed in sure keeping. And let him on whom such distrain runs be told to give satisfaction to his adversary within 8 days next following. And if he does not do it and suffer another distrain to be made upon him and has not acquitted the first distrain during those 8 days so that he neglects to give satisfaction for a fortnight then for that contempt let the first distrain come into full court before the Bailiffs and others of that court and there in the presence of him on whom the distrain shall be made, if he wills to come having had warning thereof, let that distrain be appraised by oath of trustworthy men and let it be forthwith delivered to him who has proved against him at the price appraised. And if the distrain is appraised at more than the extent of the thing proved, let the residue of the value be faithfully restored to him from whom the distrain was taken. And in like manner be it done with distrains made for the common aid of the city and let them be delivered to the Chamberlains of the same.

CHAPTER 49TH.

Also that sergeants pleading for their clients in the city court who

¹ Sergeant Countors. For the London regulations, see *London Lib. Cust.* (Riley), p. 280.

ciuitatis qui de eadem sunt oriundi manuteneant et defendant pro posse suo leges et consuetudines illius ciuitatis tam infra ciuitatem quam extra ciuitatem et quod pro nullo extraneo nec alio in nullo casu illas contraplacitabunt. Et ad quodlibet festum sancti Michaelis coram Balliuis sint iurati. Et quod nullus eorum in curia coram balliuis socios suos nec aduersarium suum verbis contumelliosis vel inhonestis afficiet nec ibidem rixam faciet cum rancore ymmo clientulo suo bono modo et honesto deseruiat prout decet. Et si aliquis eorum fecit contrarium et ad hoc fuerit assuetus postquam ter fuerit monitus quod desistat et honeste se habeat et disistere contempserit pro tali contemptu et gestu suo inhonesto de narrando in dicta causa in dicta curia suspendatur quousque se emendet et gratiam communitalis inde habere meruerit.

CAPITULUM QUINQUAGESIMUM.

Item quod illi qui fuerint electi Balliui ciuitatis ad custodiam eiusdem faciendam nullo modo recusent illud onus suscipere cum ad hoc per communitatem fuerunt electi ut pares¹ ciuitatis sub antiqua pena antiquitus in eadem posita videlicet soluendo communitati ad negocia ciuitatis quadraginta solidos. Et illa pena

are sprung from the same are to maintain and defend according to their power the laws and customs of the city as well within the city as without, and that for no stranger or other in any case shall they counterplead against them. And let them be sworn before the Bailiffs at every feast of St. Michael. And let none of them in court in presence of the bailiffs treat their fellows nor their adversary with contumelious and dishonest words nor make strife there with rancour, yea rather let him serve his client in good manner and honest as is fit. And if any of them does the contrary and is wont so to do, after that he has been thrice warned that he desist and hold himself honestly and has refused to desist, for such his contempt and dishonest behaviour let him be suspended from pleading in the said cause in the said court until he amend himself and deserve to have grace of the community thereof.

CHAPTER 50TH.

Also that those who shall be elected Bailiffs of the city to have the keeping thereof may in no wise refuse to take up that charge when they have been elected to it by the community as peers of the city under the ancient penalty of old imposed in the same, to wit, to

¹ This is introduced to show that they are bound to take up the burden.

festinanter leuetur per balliuos tempore eleccionis existentes a quocunque recusante nisi infra triduum post suam eleccionem onus suscipiat et nulli parcatur in hac parte Et si huiusmodi penam ab aliquo onus suscipere nolente ut predicitur leuare [poterint] statim per electores deputatos alius ydoneus loco illius eligatur et iuretur. Et ad omnia ista observanda firmiter et tenenda iurent Balliui singulis annis die eleccionis eorum super sancta euangelia.

CAPITULUM QUINQUAGESIMUM PRIMUM.

Item Balliui ciuitatis singulis annis in eorum eleccione iurabunt quod et fideliter domino Regi seruiant in officio balliuorum in toto illo anno pro illa ciuitate custodienda et quod bene fideliter et debito modo populum ciuitatis tractabunt faciendo diuitibus et pauperibus iusticiam equalem pro posse suo. Et quod leges libertates et consuetudines ipsius ciuitatis supradictas et alias quibus hactenus usi sunt ciues eiusdem ab antiquo bene et fideliter illesas inuiolabiliter conseruabunt. Et quod firmam suam in acquietanciam ciuitatis plene persoluent et communitatem inde

pay to the community for the business of the city 40 shillings. And let that penalty be hastily levied by the Bailiffs being at the time of the election from everyone that refuses unless within 3 days after his election he take up the charge, and let none be spared in this matter. And if they can levy such penalty from anyone unwilling to take up the charge as is aforesaid, forthwith by the appointed electors let another fit person be elected and sworn in his place. And let the Bailiffs swear every year on the day of their election on the holy Gospels to observe these things and firmly keep them.

CHAPTER 51ST.

Also the Bailiffs of the city every year on their election shall swear that they will both faithfully serve the lord King in the office of Bailiffs in that whole year for keeping the city, and that faithfully and in due manner they will treat the people of the city doing equal justice to rich and poor according to their power. And that the laws liberties and customs aforesaid of the said city and others which the citizens of the same have heretofore used of old they will well and faithfully and inuiolably keep unbroken. And that they will fully pay their farm in acquittance of the city and thereof will faithfully acquit the community. And that in doing executions of judgments rendered

fideliter acquietabunt.¹ Et quod execuciones iudiciorum coram ipsis redditorum faciendas sine alicui parcendo secundum ciuitatis consuetudinem facient in omnibus punctis Et prefatas leges libertates et consuetudines fouebunt et manutenebunt in omnibus. Et quod forinsecum² non permittent in ciuitate morari ad mercandisas aliquas faciendas sicut parem ville illius nisi prius fecerit solempniter introitum suum coram electis ad hoc per communitatem ciuitatis predictæ. Et quod si aliquem poterunt inuenire mercandisas in ciuitate exercentem ut premittitur contra ordinacionem prius ordinatam omnia bona illius que in ciuitate poterunt inueniri statim cum de hoc eisdem constiterit saisire faciant et saluo custodient quousque satisfecerit pro huiusmodi transgressione et post hoc iuret quod talia in posterum non committat in ciuitate quousque deuenerit par ciuitatis ut predictum est ad quod faciendum compellatur si in ciuitate moram facere velit.

before them they will do in all points according to the custom of the city without sparing anyone. And the aforesaid laws liberties and customs they will cherish and maintain in all things. And that they will not permit a foreigner to tarry in the city to do any merchandise as a peer of the town unless he has first solemnly made his entry before those elected for this purpose by the community of the city aforesaid. And that if they can find any one practising merchandise in the city, as is premised, contrary to the ordinance before ordained they will forthwith, when they are plainly informed thereof, cause to be seized all his goods which can be found in the said city and safely keep them until he shall give satisfaction for this offence and thereupon swear that he will not commit such things in future in the city until he become a peer of the city as is aforesaid, to doing which let him be compelled if he wills to tarry in the city.

Extracts from Assize and Presentment Rolls.

L.—Placita Corone in Comitatu Norff' in Crastino Natiuitatis beate Marie coram H. de Bathonia et sociis suis Justiciariis Itinerantibus Anno regni Regis Henrici filii Regis Johannis tricesimo quarto. (Sept. 9th 1250). [*Case 8 a 1*, copied in *Book of Pleas*, fol. 26].

¹ This was a personal obligation laid on the Bailiffs as officers of the King, occupying in this respect the position of a Sheriff of a county.

² In place of this word the copyist in the *Book of Pleas* has written "firmam suam." The emendation is obvious.

Ciuitas Norwici venit per xij Juratores.¹

Juratores presentant quod iiij parochie² propinquoiores debent venire ad inquisicionem habendam de quolibet mortuo et quod tota ciuitas est in decenna.³

Pleas of the Crown in the County of Norfolk on the Morrow of the Nativity of the blessed Mary before Henry de Bath and his fellows Justices Itinerant in the 34th year of the reign of King Henry son of King John.

The City of Norwich comes by 12 Jurors.

The Jurors present that 4 neighbouring parishes ought to come to hold an inquest on a dead body, and that the whole city is in tithing.

Gerardus Godefolche cecidit de quodam batillo In aquam de Wensum Ita quod statim submersit. Ricardus Godfelage primus Inuentor⁴ non venit nec malecreditur. Et fuit attachiatus per Willelmum de Kirkeby et Johannem filium Willelmi de Witton. Ideo in misericordia. Nullus inde malecreditur. Judicium Infortunium. Precium batelli vs.⁵ unde Prior Norwici respondebit. Et xij Juratores celauerunt quod cecidit de batello nec aliquam mencionem inde fecerunt nec Inuentor in presentia. Ideo in misericordia. Et postea testatum est quod Coronator ipsius Ciuitatis non venit ad Inquisicionem faciendam de predicto mortuo. Et quare non fecit Inquisicionem &c. dicit quod predictus Gerardus inuentus fuit super feodum Prioris Norwici⁶

¹ Each Hundred had to send 12 men to meet the Itinerant Justices. Norwich was a Hundred by itself.

² In Norwich parishes were summoned for the same purposes as villis or townships in the country. For the character of an Eyre (or Iter) and its far-reaching investigations, see Maitland, *Crown Pleas in the County of Gloucester*, Introduction, pp. xxiii., &c. For matters connected with the office and work of the Coroners, see Gross, *Coroners' Rolls* (*Selden Soc.*, vol. ix).

³ The whole city was organised according to the Frankpledge system. For an explanation of the system, and how it was worked in Norwich, see Introduction, Section XII.

⁴ The first finder of a dead body, the nearest neighbours, and any suspected persons were all attached to appear before the Coroner.

⁵ Anything which directly or indirectly caused the death of a person was forfeited as a "deodand" (gift to God). The price of it was kept by some responsible person, whose name would be entered on the Coroners' Roll. These Rolls were returned to the Itinerant Justices, who demanded payment of all forfeits or reported the non-payment to the King's Exchequer.

⁶ The disputes between the Citizens and the Prior as to jurisdiction on his exempt fee will be discussed in Vol. II.

quod est infra cinctum Ciuitatis. Et bene dicit quod non potest intrare in terram predicti Prioris ad inquisitionem faciendam de mortuo &c. Et iuratores hoc idem testantur et quod homines predicti Prioris in eodem feodo non participant in communitate Ciuitatis. Et super hoc venit Willelmus de Hakeford Senescallus predicti Prioris et dicit quod feodum illud est quedam soca de libertate Prioris et nunquam solebat communicare cum ciuitate nec eiam coram Justiciariis Itinerantibus nec quod Coronator istius Ciuitatis non debet intrare illam socam pro aliquo casu emergente. Et predictus Senescallus requisitus ubi debeat predicta soca respondere vel cum hundredo vel cum Ciuitate dicit quod semper solebat respondere per se¹ et quod nullus Coronator forinsecus venire debet in eandem socam et facere Inquisitionem &c. Et quia conuictum est quod predicta soca non venit aliquo modo coram Justiciariis nec per se nec cum hundredo &c. Ideo tota soca in misericordia.

[Abstract].—Gerard Godfolche fell from a boat into the Wensum and was drowned. No one was suspected. Judgment, accident. The price of the boat was 5 shillings for which the Prior of Norwich will answer. The Coroner of the City had not held an inquest. He said the spot was within the City but on the fee of the Prior on which he might not enter. This the Jurors confirm. William de Hakeford the Prior's Steward being questioned says that the fee is a soke in the liberty of the Prior and does not share with the City and does not answer with the city nor the hundred [of Blofield] but by itself. As it had not answered in any way, it was declared to be at the King's mercy.

LI.—Willelmus Ribold latro probator² appellat Willelmum Noche de Norwico de receptamento latrocinii et de societate latronum, et quod occidit quendam hominem in presencia sua In Villa de Norwico in domo sua propria et quod idem Willelmus Ribald tulit ipsum mortuum extra ciuitatem in bosco de Torp per consensum et auxilium et consilium &c. Et quod hoc fecit nequiter et in felonia sicut socius suus &c. offert probare per

¹ By itself or independently, not as Blomefield (iii. 48) "by him, their Steward." The Steward claimed that the Prior's soke did not answer with the Hundred of Blofield (within which it claimed to be) nor with the City of Norwich. The present proceedings were in connection with the City, but it would seem that he had not attended when the Hundred of Blofield had been called, and had made no separate report.

² An "approver," a guilty man who was pardoned on condition of securing the conviction of other felons.

corpus suum¹ &c. Et Willelmus Noche venit et defendit latrocinium et societatem &c. et quod nunquam fuit in societate sua ad aliquem hominem occidendum nec aliquod latrocinium nec aliquam feloniam faciendam et totum &c. Et hoc offert defendere secundum consuetudinem Ciuitatis London que in hac ciuitate debet teneri secundum cartam² quam proferunt de libertate &c. Et quod consuetudo Ciuitatis London talis est de homine rettato de homicidio [quod] debent eligere xij [? xvij] iuratores ex parte una de Wallebrok³ et xij [? xvij] ex altera et tunc predictus rettatus de aliqua morte venit coram Justiciariis &c. et iurabit super sacramentum suum quod nunquam talis homo de qua morte rettatus est per se vel perquisitum suum propinquior morti nec remotior vite. Et si illi xxxvj electi et sponte iurati sibi testimonium de bono sacramento perhibent quietus est de morte illa. Et si defecerit in illa probacione Ita quod unus de xxxvj juratoribus nolit cum eo facere sacramentum fiat de eo Judicium &c. Eodem modo tenetur in Ciuitate ista. Et predictus Willelmus Noche venit et fecit sacramentum suum. Et testimonium perhibent sacramento suo xvij Juratores ex parte una aque Norwici et xvij Juratores ex altera. Et predictus Willelmus sacramentum suum testimonio xxxvj Juratorum compleuit. Ideo consideratum est quod eat inde quietus de predicta morte Jocelini. Et postea requisitus qualiter se vult acquietare de latrocinio et societate et receptamento latrocinii dicit quod ponit se super xij iuratores Ciuitatis de bono et malo. Et iuratores dicunt quod non est culpabilis de aliquo malefacto. Ideo inde quietus.

[Abstract].—William Ribold, a thief and approver, appeals William Noche of receipt of larceny, of keeping company with thieves and in his presence and with his help murdering a man named Joscelin and burying his body in Thorp wood. This he offers to prove with his body [by duel]. William Noche denies all the charges and claims, by virtue of the city's Charter of Liberties, to defend himself according to the custom of the City of London where a man accused of homicide may choose 18 men from one side of Walbrook and 18 from the other, and if all the 36 separately by their oaths confirm his oath of innocence he may go quit. This being allowed, he chooses 18 men from one side of the Norwich river and 18 from the other, who all confirm his oath

¹ By a judicial combat.

² The Charter produced would be that of 13 H. III. (No. VI.).

³ This mode of defence was called in London the "Great Law." See *London Liber Albus*, pp. 56 and 110. "xii" here is evidently a mistake for "xviii."

and he is acquitted. Afterwards on the charge of larceny &c. he puts himself on a jury of 12 citizens, who declare him not guilty. He goes quit.

[The following documents (from LII. to LXVIII.) are from a Roll commonly called a "Coroners' Roll." They are the presentments made by the Coroners to the King's Justices at the Iter held in Norfolk in November 53 Henry III. (1268). They relate to matters from which deodands, forfeits, or other dues may have accrued to the King since the preceding Iter in 41 Henry III. (1257). (*Case 8 a 2.*)]

In the time of William de Dunwich, Alexander de Refham, Geoffrey de Verley and John de Melton then Bailiffs of Norwich.¹

LII.—Clarisia, widow of Richard de Kerbroc, accuses Robert de Bromholm, vintner, of breaking her arm with a hatchet on 21 October 1263, so maiming her. She has pursued the charge from court to court and offers to prove it as a woman maimed against a man or, if the court decides that she is not maimed, as a woman against a man. (*memb. 1.*)

Clarisia que fuit uxor Ricardi de Kerbroc apellat Robertum de Bromholm, vinitarium, et dicit quod ubi fuit in pace Dei et domini Regis die dominica proxima ante festum Apostolorum Simonis et Jude anno regni regis H. filii regis J. xlvii^o In villa de Norwico ad horam meridianam In parochia sancti Georgii ante portam sancte Trinitatis ante mangnum hostium taberne dicti Roberti ex parte orientali contra tabernam [quam] Idem Robertus tenet de Johanne le Skot ibi venit dictus Robertus nequiter et in feloniam et contra pacem domini regis et insultavit illam et de dorso cuiusdam hachie de netthe² gross' os brachii sinistri fregit in medio loco inter catem et manum Ita quod ipsa est mahemiata. Ac cito post feloniam ipsam factam ipsi leuauit hutesium et clamorem et sequebatur de parochia in parochiam usque ad coronatores, de coronatoribus usque ad primam curiam et sic de curia in curiam usque adhuc.³ Istam feloniam nequiter

¹ These Bailiffs began their year of office at Michaelmas, 1263. The presentments relating to the earlier years of the interval are lost.

² ? Neat, cattle. A hatchet for killing oxen.

³ This is a good description of the long process through which an injured person had often to seek redress. Hue and cry must be raised at once to get witnesses. Then when the Coroner decided that a crime had been committed, the person suspected was "exacted" (summoned) at several successive County Courts held monthly by the Sheriff of the County. Then if he were captured and imprisoned it might be some years before the King's Justices

et in feloniam fecit ei, et offert probare sicut mulier mahemiata versus hominem per quod curia domini regis considerat, et si curia domini regis considerat quod non sit mahemiata offert probare sicut mulier versus hominem. Claricia predicta inuenit plegios de prosequendo Ricardum Dunis et Henricum Punel. Robertus de Bromholm attachiatur per Robertum fourelouis et Alexandrum de Treuse.

LIII.—Katerine, widow of Stephen Justice, accuses 8 persons of feloniously breaking into her house on 22 November 1263 and doing great damage and robbery, and burning the body of her husband which at the time lay dead on a bier. She had constantly pursued the charge. The Bailiffs are ordered to arrest them and make answer.¹ (*Case 8 a 2, m 2.*)

Katerina uxor Stephani Justice appellat Radulfum filium Roberti, Andream le Gaoler, Willelmum Virly Gaunter,² Willelmum Gredi, Walterum de Derham, Johannem seruientem Nicholai de Ingham, Nicholaum quondam seruientem Nicholai de Lopham et Nicholaum le Gayver et dicit quod ubi fuit in pace Dei et domini regis In domo Stephani Justice viri eius In nocte Jouis prox' post festum sancti Eadmundi Regis anno regni regis H. filii regis J. xlvij^o Ibi venerunt predicti Radulfus, Andreas, Willelmus, Willelmus, Walterus, Johannes, Nicholaus et Nicholaus felonice quasi felones in assaltu premeditato contra pacem domini regis In villa Norwici In Fibriggate In parochia sancti Clementis et fregerunt portas suas quercine [sic] et gundas³ et vertenelas de ferro fregerunt cum hachiis de netthis et cum hachiis grossis cunyes et cum gladiis cutellis et maces fregerunt et in curiam jactauerunt et intrauerunt felonice quasi felones et hostia aule de sap⁴ fregerunt et vertenelas et ferramentum de hostia [sic] predicta et vincula et barras

came on their Eyre. This entry relates to a crime committed five years before the Assize at which it was reported. Before the close of the 13th century the practice was adopted of appointing local magnates by special and frequent commissions to deliver gaols of their prisoners. See Introduction XI. 6.

¹ This and several other cases on these Rolls are commented upon by Mr. Harrod in *Norfolk Archaeology*, ii. 257 and vii. 264.

² Glover.

³ Gundas, perhaps = gumfos, door bands, Wright-Wülcher *Vocabularies*, 733, 25; vertinelos, troystes or hinges, *ibidem*, 618, 48, and *Leicester Records*, i. 246, ii. 166. The "oaken gates" would lead from the street into the courtyard in which the "hall" or dwelling-house stood.

⁴ ? Pine.

de fenestris fregerunt et bordas quercine de fenestris predictis similiter quasi felones et post ea ad hostium camere aule versus austrum felonice intrauerunt et illam cameram robbauerunt [sic] scilicet de duobus gladiis precii trium solidorum et vjd. et una anlacia¹ mancie yuorie precii xijd. et unum [sic] palet de ferro precii xd. et unum baculum de ferro precii iiijd. et unum quirre de vaccine cum plateis ferreis precii dimidie marce et unum Wambeis et postea cameram predictam exierunt et in aula intrauerunt felonice quasi felones et corpus Stephani predicti viri sui ubi iacuit super beram combusserunt et unum chalonem de reyns² quod [sic] iacuit super beram precii quatuor solidorum similiter combusserunt et una lintheamina³ [sic] precii xvijjd. similiter. Istam feloniam roberiam burgeriam fecerunt predicti scilicet Radulfus . . . et Nicholaus eodem anno et eadem nocte quasi felones roberia predicta felonice asportauerunt. Katerina predicta statim leuauit hutesium et clamorem de vico in vicum de parochia in parochiam de domo ad domum quousque venit in presentia Balliuorum et Coronatorum et adhuc sequitur versus predictos per quod curia domini Regis considerat. Et similiter robbauerunt [sic] lineam telam⁴ precii v solidorum et unam caperon de pers cum furrura de schurellis precii xd. similiter robbauerunt. Et preceptum est Balliuis capere predictos. Balliui respondeant. Plegii de proseguendo Johannes de Heylesdon et Willelmus de Catton.

LIV.—The Coroners and Bailiffs having held an Inquest on the bodies of 2 persons killed on 1 May 1264, and having entered the facts on a schedule, Master Mark de Brunhale clerk and Ralph Knicht with many others came and threatened to cut the Coroners into little pieces unless they gave up the schedule. Afterwards they seized Roger the Coroner, took him to his house and made him give them the schedule out of his chest. They then took it to the church of St. Peter Mancroft and cut it to pieces. The Coroners said they could not hold an enquiry on this outrage on account of the threatened war. (*Case 8 a 2, m. 2*).

Memorandum quod Henricus Turnecurt et Stephanus de Balsham occisi fuerunt In Norwico In parochia sancti Georgii ante portam sancte Trinitatis die Apostolorum Philippi et Jacobi anno predicto. Coronatores et Balliui accesserunt et fecerunt Inquisicionem. Inquisicione inde facta et in cedula deducta, postea

¹ An ivory-handled dagger, an iron breastplate, an iron mace or club, a cuirass of cowhide with iron plates and a doublet. ² A blanket of Rheims. ³ A sheet.

⁴ Linen web ; a cape of pers (a blue-grey cloth, Halliwell) with squirrels' fur.

venerunt magister Marcus de Brunhale clericus et Radulfus Knict cum pluribus aliis minando predictos coronatores ad cindendos eos [sic] in minutis particulis nisi reddidissent predictam cedulam. Et postea ceperunt Rogerum coronatorem et vi duxerunt eum ad domum suam propriam cum gladiis et Hachiis quousque idem Rogerus cepit predictam cedulam de Archa sua et citius reduxerunt predictum Rogerum cum cedula prenominata ad ecclesiam sancti Petri de Mannecroft et ibi predictus Radulfus predictam cedulam vi de manu predicti Rogeri abstulit et asportauit et coram consociis suis de numero stultorum scidit in minutas particulas. Et vix idem Rogerus cum magno timore et tremore euasit de manibus eorum. Et dixerunt quod non deberent facere inquisitionem de huiusmodi propter imminensem guerram.¹

LV.—On account of the same threatening war the Coroners could not hold an inquest on the body of William Cope of Lakenham who was killed by a fall of earth.

Preterea contigit quod quidam homo nomine Willelmus Cope de Lakaham deberet fodere sub terra in curia Walteri le parcheminier. Ipso fodiente cecidit terra super eum, unde habuit mortem. Coronatores non fuerunt ausi facere inquisitionem propter imminensem gwerram et propter predictum numerum stultorum.

LVI.—Four parishes make oath that William le Alblaster and others by setting fire to a gate caused the burning of the house of John de Belaya on 10 June 1264. They also stole the clappers and cut the cords of the bells of the neighbouring churches lest people should come to extinguish the fire. (*Case 8 a 2, m. 3.*)

Parochie sancti Petri de Parmenterigate, sancti Vedasti, sancti Martini de Ballia et sancti Michaelis de Cunesford. Jurat' dicunt super sacramentum suum quod Willelmus le Alblaster de Castro minauit Johannem le lindraper ad comburendum et Johannes de Rendlesham et Thomas le despenser² de castro similiter cum istis, scilicet Henrico Punel, Simone le longe et Willelmo bonehay, et quod Willelmus le Alblaster posuit ignem super portam inter predictum Johannem le Lindraper et Johannem de Belaya unde domus predicti Johannis de Belaya combussit in nocte diei martis

¹ War had already commenced between King Henry and the Barons under Simon de Montford.

² Steward of the Castle.

proxime in pentecoste anno regni regis Henrici xl^o octauo, et quod Willelmus prenominatus de domo Roberti Fabri locsmit exiit et ad eam rediit post predictam feloniam factam. Dicunt et quod predicti furauerunt baterellos¹ cimbalarum ecclesie sancti Petri de Parmenterigate et scindebant cordas cimbalarum ecclesiarum sancti Vedasti et sancti Cuthberti ne aliquis veniret ad extinguendum ignem. Dicunt et quod Willelmus le Neue qui habet frequenter accessum ad domum Mathilde la Wymplere in parochia sancti Juliani fuit ad istum factum. Unde preceptum fuit attachiare predictos malefactores.

In the time of Adam de Toftes, John Scoth, Roger de Swerdeston and William Picot Bailiffs.² (*Case 8 a 2, m. 4.*)

LVII.—Four parishes present that the dead body of Reginald the baker having been found, Roger Olot of Fornsete who was also found on the spot confessed that he had killed him. He had been kept in the City prison. The Bailiffs will answer for him.

Parochie sancti Andree, sancti Petri de Hundegate, sancti Michaelis de placitis et sancte Margarete de Neubrig. Juratores dicunt super sacramentum suum quod quidam homo nomine Reginaldus pistor Inuentus fuit mortuus et occisus in feodo Petri Buch et Rogerus Olot de fornsete ibidem inuentus fuit in eodem feodo. Qui cognouit coram coronatoribus et Balliuis ipsum occidisse eum cum quodam baculo. Et idem Rogerus captus fuit et detentus in prisiona Norwici. Balliui respondeant. In catallis nichil habuit.

LVIII.—Ralph de Hadestok, an approver in Norwich Castle, accuses 2 men and 2 women of having received stolen goods from him, for which they still owed him money.

Radulphus de Hadestok probator in castro Norwici appellat Willelmum de Worthsted seruientem Walteri Marescalli de iij pullanis noctanter furatis et receptatis ab eo Radulfo. Et idem W. tenetur eidem R. in ~~xx~~ pro uno equo furato eidem W. vendito. Item appellat Radulphum de Couteshale de una Juuena noctanter furata et de eodem R. probatore empto et receptato unde adhuc tenetur in xxxd. Item appellat Sibyllam leym de receptamento pannorum et tapetorum³ furatorum noctanter. Item appellat

¹ Bell clappers (Wright-Wülcher, 567, 39.) ² Elected at Michaelmas, 1264.

³ Bed cloths.

Auiciam Wipe de receptamento unius vacce furate precii iijs. unde eadem Auicia adhuc eidem R. tenetur in xijd.

LIX.—Simon de Cranele, an accuser¹ in Norwich prison, accuses 5 persons of receiving stolen goods.

Simon de Cranele, appellator in prisiona Norwici, appellat Gilebertum filium Radulfi de Shorale de Societate plurium latronum, Rogerum le Barwere de Norwico Johannem le Somenur de receptamento, Matildam la Saltere de Norwico de receptamento, Edam filiam in lege Walteri Marescalli. Manuceptores predictæ Ede Walterus Marescallus, Thomas Schirreue, Galfridus Scissor, Petrus pistor, Johannes de Rael carpenter, Rogerus de Catton. Manuceptores Johannis de Elmham et uxoris sue² Thomas le Corueyler, Johannes Child, Semannus cocus, Walterus Cargo, Simon Blaber et Ricardus Bateman.

LX.—Four parishes declare on oath that John son of James Knot found dead on 18 December 1264 with a blow on his forehead did not die of the blow but of a fever called meneylun.

Parochie sancti Clementis, sancti Edmundi, sancti Martini ante portas Episcopi, sancti Jacobi. Juratores presentant et dicunt super sacramentum suum quod Johannes filius Jacobi Knot inuentus fuit mortuus in domo sua propria die Jouis proxima ante festum sancti Thome Apostoli anno regni regis H. filii regis J. xlix^o habens quandam plagam in fronte longitudine iij digitorum per Galfridum Brun. Inquisicione facta utrum habuit mortem per illam plagam nec non, dicunt super sacramentum suum quod non moriebatur de plaga illa set moriebatur de quadam infirmitate que vocatur febris acuta et meneylun³ et quod nullus inde male creditur nisi de infirmitate. Simo seruientis ipsius Johannis inuenit eum primo cuius plegius Jacobus frater Johannis defuncti. Propinquiore vicini attachiati sunt.

In the time of the Bailiffs William de Dunwich, Adam de Toftes, Nicholas de Ely and Roger de Swathing.⁴ •

LXI.—Four parishes declare on oath that Robert de Wicklewode cupper struck Geoffrey de Nedham Smith, on 26 December 1265, a

¹ See note *ante* on "Approver," p. 201 note 2.

² John de Elmham must be the man called John le Somenur (summoner) just before, and his wife must be Matilda le Saltere. Family names had scarcely come into use.

³ Meaning unknown. Elected Michaelmas 1265.

blow on the head whereof he died. Hue and cry was raised by the neighbours and pursued to the Cathedral where Robert took refuge.

Parochie sancti Stephani, sancti Petri de Manecroft, Omnium Sanctorum de Swynemarket et sancti Johannis de Berstrete. Juratores presentant et dicunt super sacramentum suum quod Robertus le Cupper de Wiklewode percussit Galfridum fabrum de Nedham cum quodam baculo de quercu et dedit ei plagam in capite usque ad cerebrum unde moriebatur. Inquisicio inde facta. Dicunt super sacramentum suum quod nullus inde male creditur nisi predictus Robertus qui feloniam predictam ei fecit die sancti Stephani ad vesperam Anno regni regis H. filii regis J. L^{mo} et statim vicini leuauerunt Hutesium et clamorem usque ad ecclesiam sancte Trinitatis. Et predictus Robertus posuit se in ecclesiam sancte Trinitatis prenominatam et ibi se tenuit. Preceptum est custodiri. Alanus Barlisel inuenit eum primo cuius plegii Ricardus de Eton et Ricardus Herre. Willelmus Starling cuius plegii Edmundus faber et Galfridus Hakun. Radulfus le Sponere cuius plegii Galfridus Hakun et Edmundus faber. Galfridus Hakun cuius plegii Willelmus Starling et Johannes le Carter de Stratton.

LXII.—Four parishes declare on oath that on 8 July 1266 Nicholas Spigurnel then Sheriff of Norfolk in his house in Norwich, hearing a dispute taking place between his brother and John son of Simon the linendraper intervened. As John fled Nicholas kicked at him and missed his stroke, and falling broke his leg and put his foot out of joint, whereof he died. Judgment, an accident.

Parochie sancti Clementis, sancti Saluatoris, beate Marie combuste et sancti Botulphi. Juratores presentant et dicunt super sacramentum suum quod die Jouis proxima post festum Translacionis beati Thome martiris anno L^o venit dominus Nicholaus Spigurnel¹ tunc vicecomes Norf' ad hospicium suum in parochia beate Marie combuste et contencio mota fuit inter Thomam fratrem predicti Nicholai constabularium et Johannem filium Simonis le lindraper.²

¹ Harrod (*Norf. Arch.*, ii., 266) quotes the complaints made against this Sheriff in the Hundred Rolls.

² This person is no doubt "John le Lindraper," whose house was attacked in June 1264 by people from the Castle (No. LVI.), and Thomas the Sheriff's brother here called "Constable" of the Castle is the same as "Thomas le despenser de castro" mentioned there.

Hoc audito Nicholaus exiuit extra portam suam. Iterum contencio mota fuit inter dictum Nicholaum et dictum Johannem Unde dictus Nicholaus prosecutus fuit dictum Johannem et Johanne fugiente dictus Nicholaus cum pede suo dextro volebat eum percutere et de ictu deficiebat. Unde cecidit super gambam suam sinistram, unde ossa minuta fracta sunt in duas partes et pes suus extra iuncturam exiit. Unde habuit mortem et obiit die lune proxima post in castro Norwici. Dicunt super sacramentum suum quod nullus inde male creditur nisi per infortunium predictum. Propinquiore vicini attachiati sunt. Johannes le parcheminer cuius plegii Nicholaus de Denham et Thomas Schipman, Edricus de Mautebi cuius plegii Herueus le tallyur et Robertus Walman, Ricardus Grim cuius plegii Robertus Jemme et Willelmus de Hunstanneston, Thomas Schipman cuius plegii Willelmus Hulot et Hermannus Flaxman.

In the time of the Bailiffs William le Cunte, William Payn, Roger de Swerdeston and John de Meuton.¹

LXIII.—Richard le franceys of Whinberg came into the full court of Norwich on 1 April 1267 and acknowledged that John Buch had ordered him to take to the church of St. Peter Mancroft some goods of the Jews stolen in Norwich. The Coroners and Bailiffs went to the church but found nothing. Both persons were attached to answer.

Mem. quod Ricardus le franceys de Qwyneberg venit In plenam curiam Norwici die Veneris proxima post festum Annunciacionis beate Marie anno regni regis H. filii regis J. L^o primo et recognouit in plena curia quod Johannes Buch precepit dictum Ricardum ferre ad ecclesiam sancti Petri de Mannecroft Catalla Judeorum in Roberia capta in Norwico scilicet unam capam de Blauetto² et unam roketam et unum cresset'. Coronatores et Balliui accesserunt ad predictam ecclesiam et nichil inuenerunt de hiis que eidem Johanni imposuit. Et preceptum fuit attachiare ambos predictos.

LXIV.—Four parishes declare on oath that Thomas de Carleton, Constable for keeping the peace, hearing a rumour on 31 May 1267 that the Disinherited Barons were coming to sack and burn the city ordered Walter de Sterston sergeant to summon the city. On his

¹ Elected Michaelmas 1266.

² A cape of blue, a rochet, and a lamp ("any hollow vessel employed for holding a light," Halliwell).

refusing and returning a rude answer Thomas struck him with a drawn sword which he had in his hand and killed him. The Jurors say it was an accident and not done with a felonious intent. Thomas' chattels were valued at £2 10s. 4d. and delivered to 4 citizens to keep, except his houses and rents.

Parochie sancti Stephani, sancti Petri de Mannecroft, sancti Johannis de Berstrete et Omnium Sanctorum de Swynemarket. Juratores presentant et dicunt super sacramentum suum quod Thomas de Karleton¹ Constabularius de pace custodienda [quia] venit clamor per mediam ciuitatem Norwici quod exheredati appropinquarent predictam ciuitatem ad depredendam illam et incendendam die Martis proxima ante Pentecostem anno regni regis H. filii regis J. L^o primo predictus Thomas precepit Waltero de Sterston seruienti de predicta Villa ut citaret ciuitatem predictam. Ipso resistente, propter inobedientiam ipsius Walteri dictus Thomas increpauit ipsum et, eodem Waltero turpiter respondendo eidem Thome habenti gladium euaginatam in manu sua, pulsando ipsum Walterum per infortunium dedit ei quandam plagam in pectore inter mamillas unde idem Walterus habuit mortem. Dicunt etiam quod non habuit mortem nisi per infortunium prenominationum et non per feloniam. Propinquiore vicini attachiati sunt scilicet Galfridus de Wichingham cuius plegii Hugo Garland et Thomas de Ho, Hugo Garlande cuius plegii Hugo de Bradebek et Radulphus le chaluner, Hugo de Bradebek cuius plegii Radulphus Crane et Hugo Garlande, Thomas de Hoo cuius plegii Hugo Garlande et Radulphus le chaluner. Catalla ipsius Thome appreciantur et inuenta ad valentiam iij marcarum et dimid', iij s. viii d. et tradita fuerunt custodienda Alexandro de Weston, Willelmo le Rus, Waltero de Weston et Rogero Bartelmeu exceptis domibus et redditibus.

¹ This cannot be Thomas Spigurnel just mentioned as Constable of the Castle. He was evidently a citizen, for his goods when attached were committed to persons who bear the names of leading families in the city. He must be the citizen of that name specially mentioned among the leaders of the city at the time of the riot of 1272 (No. XXXV.). His title here, "Constable for keeping the peace," is of special interest. He would be the Chief Constable of the Hundred of the City appointed under the Writ of 1252. His summoning the whole city to arms indicates that there was only one such Constable, the 4 Leet Constables probably dating from the Statute of Winchester 18 years later than this entry. The sergeant's hesitation may have been due to the fact that the Disinherited Barons had already sacked Norwich on December 16th before this occurrence, and the citizens may have feared to oppose them again.

LXV.—William Fot of Hemstede by Hapesburg took refuge in the church of St. Gregory on 22 August 1267. The Coroners and Bailiffs asked him why, and he acknowledged that he had stolen goods at Hemstede and having been caught and imprisoned at Yarmouth had escaped. He abjured the kingdom. Sandwich was assigned as his port of departure.

Willelmus Fot de Hemstede versus Hapeburg posuit se in ecclesiam sancti Gregorii die lune proxima ante festum sancti Bartholomei anno regni regis H. filii regis J. L^o primo. Coronatores et Balliui accesserunt et interrogauerunt quare ibi se tenuit et ipse recognouit coram ipsis quod ibi se tenuit propter latrocinium quod perpetrauerat scilicet propter pannos quos furauit apud Hemstede et captus fuit apud Gernemutam et incarceratus et de carcere illo euasit et ideo ibi se tenuit. Et abiurauit regnum. Et habuit portum de Sandwyz.

LXVI.—Geoffrey Sifteferdthing¹ appeals Stephen le Blund for coming into his courtyard on 30 August 1267, breaking violently into his house with a large following and stealing away many things from his house and stripping his orchard. He raised the hue and cry and made fresh suit to the Coroners and this he is prepared to prove as the Court adjudges. Stephen was attached. The Bailiffs are to answer.

Galfridus Sifteferdthing appellat Stephanum le Blund quod iniquiter et in pace domini regis et in assaltu premeditato venit ad curiam predicti G. Sifteferdthing in parochia sancti Edmundi in Norwico parum ante mediam noctem nocte martis proxima post festum decollacionis sancti Johannis anno regni regis H. filii regis J. L^o primo et fregit sepem suam transcendebat muros fregit portas ostia et fenestras et seruras et quesuiit domum² ubi Galfridus iacuit. Domui huic fecit insultum cum sequela sua et venerunt cum securibus gladiis lanceis et fustibus et ab illa domo asportauerunt lintheamina precii xxvij*d.* et unum par pannorum lineorum precii xij*d.* Ingredebantur coquinam suam et asportauerunt unam paellam eream precii vij*d.* et excusserunt pirarium suum tocus fructus precii dimidie marce et asportauerunt et excusserunt pomeria sua tocus

¹ Called Geoffrey Shifteferthing in an Estreat Roll of 1275.

² "Domus" here is clearly a room or portion of a house (*Lond. Lib. Cust.*, p. 799, s. v. domus).

fructus precii v sol. Idem G. leuauit hutesium et clamorem et fecit recentem sectam apud coronatores et hoc paratus est probare per quod curia domini regis considerauerit. Plegii de prosequendo Robertus de Fornesete, Radulphus de Akle. Et preceptum fuit attachiare predictum Stephanum. Balliui respondeant.

In the time of Nicholas de Ely, Adam de Toftes, Roger de Swerdeston and Nicholas de Eston.¹

LXVII.—Four parishes being sworn say that William de Runham chaplain took refuge in the church of St. Cuthbert for a homicide. The Bailiffs set a watch out of the said parishes, but he escaped without view of the Coroners on 13 April 1268.

Parochie sancti Petri de Hundegate, sancte Marie parue, sancti Cuthberti, sancti Petri de Parmentergate. Juratores dicunt quod quidam homo nomine Willelmus de Runham capellanus posuit se in ecclesiam sancti Cuthberti pro quodam homicidio apud Torp perpetrato ut dicitur. Balliui apposuerunt custodiam de predictis parochianis et euasit sine visu coronatorum et hoc fuit die Veneris in ebdomade Pasche anno LII^o.

LXVIII.—Eliza daughter of Hamo Wotte appeals several persons for killing her brother Ralph servant of William Payn on 16 December 1266. Her appeal was made in the full court of Norwich on 17 April 1268. On the dorse of the roll is a statement by 9 persons who say on oath that Ralph was killed by the Barons.

Eliza filia Hamonis Wotte appellat Radulphum Muddock pistorem, Petrum Cory, Galfridum seruientem Laurencii de Fornesete, Radulphum Crabbe, Umfridum Hodio, Lay' seruientem Ade le Blund quod iniquiter et in pace domini regis et felonice occiderunt Radulphum fratrem suum seruientem Willelmi Payn die Jouis proxima post festum sancte Lucie anno LI^o et abstulerunt ab eo xvij libras sterlingorum. Ista appellacio facta fuit in plena curia Norwici die martis proxima post clausum Pascha anno LII^o et inuenit plegios de prosequendo, Hamonem Wotte patrem suum et Galfridum de Horsted.

[In dorso]. Johannes Popinel, Johannes de Weston, Robertus de Burghle, Robertus Lax, Daudid de Okle, Johannes Sweting, Willelmus Herse, Johannes le Viner, Walterus Woke dicunt super sacramentum

¹ Elected Michaelmas 1267.

suum quod Radulphus seruies Johannis Payn occisus fuit per Barones¹ et quod nullus de ciuitate inde malecreditor.

[The following documents (from LXIX. to LXXXVI.) are similar entries to the preceding taken from the reports made at the Eyre which commenced at Norwich in January 1286. No Eyre had been held since that of 1268. (*Case 8 a 3*).]

LXIX.—Walter Eye having been hung afterwards revived and took refuge in the Cathedral. He was pardoned by the King.²

Anno regni regis Edwardi xiiij^o temporibus Rogeri de Wyleby, Ade le Clerk, Jacobi Nade, Willelmi de Burwod Balliuorum Norwici contigit quod Walterus Eye fuit dampnatus in curia Norwici et suspensus et tanquam mortuus humo prostatus per Willelmum filium Thome Stannard. Et dictus Walterus portabatur in quodam feretro in ecclesiam sancti Georgii ubi vixit per quindenam et fugit ab illa ecclesia in ecclesiam sancte Trinitatis et ibi fuit quousque dominus Rex sibi sectam suam perdonauit.

LXX.—Nine distant monastic holders of free tenements in Norwich are reported for not appearing before the Justices on the first day of the Eyre.

Abbas de Sautery,³ Abbas de Valle Dei, Abbas de Pypewell, Abbas de Murial, Abbas de Wardon, Abbas de Cumbes, Abbas de Gernedon, Abbas de Woburn, Prior de Chikesonde. Omnes isti habent libera tenementa in Norwico et non fuerunt coram Justiciariis primo die.

LXXI.—Three persons escaped from prison in Norwich Castle and were recaptured after 2 days and brought back.

Contigit quod Edmundus Hamel, Willelmus Palfrei junior et

¹ In *Norf. Arch.*, ii. 273 note, Harrod points out that this entry fixes the date of the sack of Norwich by the Barons. He gives the day as December 17th. According to De Morgan's *Almanacks*, St. Lucy's Day (13 December) in 1266 was on Monday. The Thursday following would be December 16th.

² This important case is given at greater length below (LXXXVII.) from the Assize Roll.

³ Sawtry (Hampshire), Vaudey (Lincolnshire), Pipewell (Northamptonshire), Merivale (Warwickshire), Wardon (Bedfordshire), Combe (Warwickshire), Garenden (Leicestershire), Woburn (Bedfordshire), Chicksand (Bedfordshire). All these monasteries were Cistercian except the last, which was Gilbertine. Several of them are known to have had holdings by the river side, presumably for the exportation of wool.

Radulphus Bencelin de Schotisham euaserunt a prisiona castri Norwici nocte diei Jouis proximi ante festum Natiuitatis beate Marie et postea capti fuerunt apud Hemenhal secundo die et reducti ad prisonam castri Norwyci die Sabbati proxime sequentis tempore Willelmi de Rothing vicecomitis.¹

LXXII.—William de Loddon clerk was carried away from the City prison by Hugo Maydelove who broke the prison by night. He pleaded that Hugo forced him and he quickly returned.

Willelmus de Loddon, clericus, imprisonatus in prisiona Norwyci portatus fuit ab eadem prisiona noctanter ad ecclesiam sancti Johannis de Berstrete per Hugonem Maydeloue qui fregit eandem prisonam, et idem Willelmus non ausus fuit ei resistere set in breui postea rediit.

LXXIII.—In 1269 Adam Spindelschanke took refuge in the church of St. Swithin and acknowledged that he had made a counterfeit seal of the King. He abjured the kingdom.

Eodem anno quidam homo nomine Adam Spindelschanke posuit se in ecclesiam sancti Swithini in Norwico et cognouit se fabricasse falsum sigillum contra sigillum domini regis die Sabbati proxima post festum sancti Michaelis et abiurauit regnum eodem die. Nulla habuit catalla. Non in decenna quia clericus.

LXXIV.—Gunnilda daughter of Thomas Campely of Sprouston was found murdered by Simon son of Thomas de Haggerston of Hokeringe. Thomas fled and was captured and imprisoned in the prison of Norwich. Afterwards in pursuance of a writ of spite, he was released on bail of 12 men. Subsequently having committed a theft in the country he was hung at Dereham.

Item eodem anno [56 H. III.] contigit quod quedam Gunnilda filia Thome Campely de Sprouston inuenta fuit occisa die Martis proxima ante festum Exaltationis sancte Crucis per Simonem filium Thome de Haggerston de Hokeringe de quadam sagitta quam traxit et ipsam Gunnildam per medium cor percussit unde statim obiit. Petronilla filia Willelmi Wrog inuenit eam primo. Propinquiiores vicini sunt Willelmus faber, Adam Fegge, Robertus carpentarius et Galfridus de Stokesby. Et dictus Simo filius

¹ It is strange that the escape of these prisoners from the Castle and their recapture in the country should be reported with the City instead of the County business.

Thome statim post feloniam fugit et nulla habuit catalla. Et postea captus fuit et imprisonatus in prisona de Norwico. Et postmodum per breue domini regis de odyo et atya¹ traditus fuit in ballium duodecim. Et postmodum fecit furtum in patria pro quo suspensus fuit apud Derham.

LXXV.—Yvo, a chaplain, was burned by a candle falling on the bed on which he was lying.

Item eodem anno [1 Edward I.] contigit quod quidam Yvo capellanus combustus fuit per infortunium eo quod quedam candela cecidit in lecto suo et lectum suum et dictum Yvonem in lecto iacentem combussit nocte sancte Scolastice virginis² unde obiit nono die in domo sua. Willelmus Haukin de Hecham fuit cum eo quando obiit. Propinquoires vicini Johannes Rikebut, Petrus le Mustarder, Simo de Berton et Thomas le Chaundeler.

LXXVI.—Simon son of Laurence de Schotesham while drawing water with a pitcher fell into a pit and was drowned. The price of the pitcher and cord, 12*d.*, will be answered for by Ernald de Weston.

Item eodem anno contigit quod quidam Simo filius Laurentii de Schotesham inuentus fuit submersus in quodam puteo communi qui erat in curia Johannis Martin die sancti Laurentii per infortunium eo quod predictus Simo debuisset haurire aquam cum quadam ansera³ et cecidit in puteo et se submersit. Rosa mater dicti Simonis inuenit eum primo. Propinquoires vicini Gilbertus de Wichingham, Johannes de Fornesete, Robertus Scot et Ricardus de Huneworth. Precium ansere et corde xij*d.* unde Ernaldus de Weston respondebit.

LXXVII.—Katerine Colne having hung herself with a girdle in the Tolhouse, Roger Raysun will answer for the price of the girdle, 1*d.*

Item eodem anno [2 Edward I.] contigit quod quedam mulier nomine Katerina Colne se ipsam suspendit super trabem in theolonio Norwici cum zona sua die Sabbati proxima post festum sancti Leonardi. Willelmus Stuner inuenit eam primo. Propinquoires vicini Rogerus Raysun, Simo de Belhawe, Radulphus le Furbur

¹ By this writ an accused person alleged that the accusation was brought out of spite, and was admitted to bail. Here the accused is committed to the charge of 12 men. (Pollock and Maitland, *Hist. Engl. Law*, ii. 587.)

² February 10th.

³ Perhaps meant for "anfera" = amphora.

et Thomas le Chaundeler. Precium zone id. unde Rogerus Raysun respondebit.¹

LXXXVIII.—An Inventory of the goods of Constantine le Tundur, which he had when he fled, and who is to account for them. Constantine was living in the Tonsoria at Oxford.

Mem. quod Costantinus le Tundur² habuit die quo fugit xv cumbas brasei de quibus quelibet cumba valuit xvij*d.* et vicecomes inde habet duas partes, et uxor predicti Costantini terciam partem. Item habuit unam cumbam et dimidiam frumenti, precium cumbe ijs. unde vicecomes habet cumbam et bussellum et uxor predicti Costantini unum bussellum. Item habuit unam cumbam frumenti quam uxor ipsius Costantini habuit. Item habuit iij cumbas ordei quas uxor sua habuit, precium cumbe xvij*d.* Item habuit iij cumbas ordei quas Johannes Attetuneshende de Erlham abduxit de domo predicti Costantini, precium cumbe xvij*d.* Item habuit utensilia domus ad valentiam iij solidorum que uxor sua habuit. Item habuit minuta utensilia domus ad valenciam xij*d.* que Willelmus Cracketayle habuit. Item idem Costantinus habuit lanam ad valenciam unius marce quam vicecomes habuit. Item habuit duas forfices³ precii xij solidorum, et Willelmus Payn habuit unam forcem precii xs. et Galfridus le Mercer habuit alteram forcem precii ijs. Item habuit unum scaccarium et unum vannum precii vij*d.* que Johannes de Skolesthorp fecit ducere in Prioratum et ibidem remanserunt. Item habuit ornamenta camere ad valenciam ij solidorum que uxor sua habuit. Et idem Costantinus fuit in decenna Ricardi Coleman allutarii⁴ de Norwico. Et manet apud Oxoniam in Tonsoria eiusdem ville.

In the time of William le [sic] Sturmy warden of Norwich⁵ (3 Edward I.).

¹ In the Estreat Roll for 1286 occurs "De eodem Vicecomite de catallis Katherine de Colne felonis de se, vij*d.*"

² *Tondeur*, tonsor, shearer. In the Assize Roll it is stated that "Constantine le Tundur stole 24 sheep at Stamford, and was taken in Norwich for the said felony by the bailiffs and officers of the Prior of Norwich at the time of the Whitsuntide fair."

³ *Forfex*, a pair of shears; *scaccarium*, a chequer, usually a chess-board, but perhaps an account table for reckoning by counters (Hall, *Antiquities of the Exchequer*, p. 117; Gross, *Gild Merchant*, ii. 275).

⁴ Cordwainer, shoemaker (*London Lib. Alb.*, iii. 376; *Streets and Lanes of Norwich*, 26).

⁵ Warden of the city during the forfeiture of the liberties after the riot of 1272.

LXXIX.—William Wynch was found dead in the street from bodily infirmity.

Contigit quod Willelmus Wynch inuentus fuit mortuus ex debilitate corporis in via regia in Fivebriggate.¹ Margareta Trehe inuenit eum primo. Propinquoires vicini Ysaak de Catton, Johannes Martin, Ricardus Mareschall et Godwynus Faber.

LXXX.—Walter de Swerdeston being imprisoned in the street of Newgate by the bailiff and officers of the Prior and Convent of Norwich had escaped from their custody in the time of William le Sturmy, then Warden of Norwich.

Contigit quod Walterus de Swerdeston captus fuit per Willelmum de Causton et imprisonment in vico de Neugate per ballium et ministros Prioris² et Conuentus Norwici, et euasit de custodia eorum tempore Willelmi le Sturmy tunc custodis Norwici.

LXXXI.—Walter Turpin, of Keteringham, took sanctuary, and acknowledging himself guilty of theft and homicide, abjured the kingdom.

Contigit eodem anno [3 Edward I.] quod Walterus Turpin de Keteringham fugiebat in ecclesiam sancti Johannis de Berstrete die lune proxima post festum sancti Botulphi anno predicto³ et cognouit se esse latronem homicidam et abiurauit regnum die Mercurii proxima post. Nulla habuit catalla. Balliui tunc temporis Adam de Toftes, Henricus de Heylesdon, Rogerus de Wyleby et Willelmus de Rollesby.⁴

LXXXII.—Eleuisa de Eydone was taken in the Jewry of Norwich with stolen goods. She was imprisoned in the Tolhouse and escaped.

¹ On the question of the original form of this word, see *Streets and Lanes of Norwich*, 84.

² Newgate was claimed by the Prior till 1305 (Introduction III. 7). The Prior's tenants were fined 100s. for the escape. The Citizens were fined an equal amount for the escape of Hugo Maydelove in No. LXXII.

³ 24th June, 1275.

⁴ In the list of Wardens and Bailiffs since the preceding Eyre given at the beginning of the Assize Roll of 14 Edw. I., the names of these four Bailiffs do not occur. It is said that "William de Esturmy remained Warden of the city till the feast of the Ascension in the 4th year" (14th May, 1276) when he was succeeded by the four Bailiffs mentioned in the next entry to this. But they are also mentioned in other entries relating to February and March, 1276. The Patent Roll of 3 Edw. I., also contains a restitution of the city to the citizens in the 3rd year which ended 20th November, 1275. The statement made to the Itinerant Justices in 1286 must therefore be wrong. Sturmy occurs as Warden in March, 1275. Before June 24th of that year the four Bailiffs here mentioned must have been appointed, and probably at Michaelmas were succeeded by those named in the next entry.

Contigit [anno quarto] quod quedam mulier Eleuisa nomine de Eydone¹ capta fuit in iudaismo Norwici cum uno cypho de maze² precii iiij^s. quem furauit ad domum Rogeri de Bassingham, capta et detenta in prisa tholonii Norwici die cene³ et nocte proxima sequente fregit prisonam et euasit de custodia. Adam de Toftes, Rogerus de Morlee, Geruasius le Tanur et Thomas de Lincoln tunc balliui Norwici.

LXXXIII.—Lecia le Paumere was drowned in a pit in the Old Swine Market through an attack of frensy.

Contigit quod die Martis proxima ante festum sancti Barnabe Apostoli⁴ anno predicto quedam mulier Lecia le Paumere nomine inuenta fuit submersa in quodam puteo in Holdswynemarket per morbum freneticum⁵ superuenientum. Johannes filius eius inuenit eam primo. Propinquoires vicini Vincentius de Kyrkeby, Rogerus de Berwyk, Rogerus le Werthere et Willelmus Molle. [Same year and Bailiffs.]

LXXXIV.—A child five years old was killed by a “stroke of thunder and lightning.”

Contigit die Sabbati post festum Natiuitatis beate Marie Virginis anno supradicto⁶ quedam infantula Christiana nomine etate v annorum inuenta fuit mortua in Superiori Newport per ictum tonitru et fulminis. Agnes mater eius inuenit eam primo. Propinquoires vicini Galfridus de Kyrkeby, Adam Makabe, Ranulphus de Hahenwrth et Ricardus Stedesfot. Balliui tunc temporis Adam de Toftes, Willelmus de Yeluerton, Johannes Bate et Rogerus de Swerdeston.

LXXXV.—[January 13th, 1279]—Thomas Dust, being let down into a well in the courtyard of Henry de Senges by a well-maker, fell out of the bucket and died of the foul air at the bottom of the well. Henry will answer for the price of the cord and bucket (8*d.*).

Contigit quod Thomas Dust inuentus fuit mortuus in quodam fonte qui erat in curia Henrici de Senges per infortunium die veneris proxima post festum sancti Hyllarii eo quod fuit dimissus in quodam fonte per quoddam bukettum et cordam et cecidit extra

¹ In the Estreat Roll the “whole city” is fined 100*s.* for the escape of Helewisa de Heylesdon.

² Maser, maple.

³ Thursday in Holy Week, 2nd April, 1276.

⁴ 9th June, 1267.

⁵ Frensy, madness.

⁶ 12th September, 1276.

bukettum ad fundum fontis et statim obiit per corrupcionem aeris quod erat in dicto fonte. Ricardus Priur inuenit eum primo. Propinquiore vicini Galfridus de Costinoble, Willelmus le Komber, Johannes ad fontem et Yvo le ganyer. Precium corde et buketti viij*d.* unde Henricus de Senges respondebit. Et Rogerus le Wellemaker dimisit ipsum in fontem.

LXXXVI.—[10th year, 1282]—Hugo Waukel and Thomas Heved were drowned while asleep in a leaky boat by Brundall. William Albou will answer for the price of the boat (5*s.*).

Contigit quod quidam Hugo Waukel et Thomas Heved inuenti fuerunt submersi in communi rypa sub Villa de Brundall¹ in crastino decollacionis sancti Johannis Baptiste² per infortunium, eo quod sicuti predicti Hugo et Thomas venerunt de Gernemuta in quodam batello dicti Hugo et Thomas dormiuerunt et ipsis dormientibus intrauit aqua in dicto batello per quoddam foramen et submerserunt. Juliana uxor eius inuenit eos primo. Propinquiore vicini Hugo de Bromelm, Alexander le Rus, Thomas de Surlingham et Semannus Wrinel. Precium batelli *vs.* unde Willelmus Albou respondebit.

The Case of Walter Eghe.

LXXXVII.—Juratores presentant³ quod Walterus Eghe die Lune in prima septimana quadragesime anno regni Regis nunc tercio decimo, tempore Rogeri de Wileby, Ade le Clerk, Jacobi Nade et Willelmi de Burwode Balliuorum Domini Regis captus fuit per indictamentum ad Letam⁴ Ciuitatis pro pannis furatis ad domum Ricardi de la Hoe et aliis latrociniis et postea die Mercurii proxima sequente ductus fuit coram eisdem Balliuis et tota Communitate totius ciuitatis in Tolboth⁵ et coram eis sine secta alicuius

¹ Brundall is four miles from Norwich by the river. The persons attached as "nearest neighbours" are known to have been connected with the Leet of Conesford, which was the nearest part of the city. See the similar case of the accident at Cantley (No. LXXXVIII.).

² 30th August, 1282.

³ This extract is from the Assize Roll of 14 Edward I. in the Public Record Office, 571, m. 89. The case is given in the *Town Close Evidences*, p. 10. The date of the indictment was 12th February, 1285.

⁴ The 1st Monday in Lent was the usual day for beginning the Leet Presentments. See Introduction XII. 3.

⁵ On this court and the offence committed by the citizens on this occasion, see Introduction XI. 3.

occasionatus qualiter se voluit acquietare de latrocinio ei imposito de bono et malo posuit se super patriam. Et Balliui predicti, simul cum communitate predicta, fieri fecerunt inquisitionem si culpabilis esset vel non, per quam inquisitionem compertum fuit quod predictus Walterus culpabilis fuit, ob quod ipsi suspendi ipsum Walterum adiudicarunt et ipsum suspenderunt, et cum prostratus fuisset a furcis et delatus ad ecclesiam sancti Georgii ad sepeliendum inuentus fuit viuus. Et iuratores requisiti per quem predictus Walterus prostratus fuisset a furcis predictis dicunt quod per Willelmum filium Thome Stanhard qui venit et hoc bene cognouit. Ideo ipse committitur Gayole. Catalla predicti Walteri iiij marce unde Vicecomes respondebit. Et testatum est quod predictus Walterus moram fecit in Ecclesia predicta per quindecim dies et ibidem custoditus fuit per parochias sancti Petri de Hundegate, sancte Marie parue, sanctorum Simonis et Jude et sancti Georgii ante portam Ecclesie sancte Trinitatis et qui post quindenam sequentem a custodia earundem parochiarum euasit. Ideo ad iudicium de euasione super quatuor parochias predictas.¹ Et idem Walterus postquam euasit posuit se in Ecclesiam sancte Trinitatis Norwici et ibidem moram fecit quousque dominus Rex perdonauit ei sectam pacis sue,² et qui modo venit et profert cartam domini Regis nunc in hec verba, "Edwardus Dei Gracia, etc." . . . Et predicti Balliui ciuitatis predictae simul cum Communitate eiusdem requisiti qua auctoritate predictum Walterum suspendi adiudicauerunt et suspenderunt sine secta alicuius vel manuopere dicunt quod dominus Rex ad Pascha proxime sequens postquam hoc factum euenit venit in partes istas et datum fuit ei intelligi quo modo predictus Walterus suspensus fuit, ob quod ipse misit Johannem de Lovetot ad ciuitatem istam ad inquirendum de facto predicto et qui pro eodem facto cepit libertatem ciuitatis predictae in manum domini Regis et que remansit in manu domini Regis usque ad parliamentum suum proxime sequens. Et postea ad parliamentum suum predictum ciuitatem predictam eis reddidit per cartam suam.³

The Jurors present that Walter Eghe on Monday in the first week of Lent in the 13th year of the King now in the time of Roger de Wileby, Adam le Clerk, James Nade and William de Burwode Bailiffs of the lord

¹ The four parishes were fined 100s. for the escape (Estreat Roll).

² The King released him from further proceedings.

³ The grant of restitution was dated at Westminster, 27th May, 1285. A permanent addition of 40s. to the fee farm rent was exacted.

King was taken by indictment at the Leet of the city for stealing cloths at the house of Richard de la Hoe and other larcenies and afterwards on Wednesday next following was led before the said Bailiffs and the whole Community of the whole city in Tolboth and before them, without any man's suit, being vexatiously demanded how he would acquit himself of the larceny charged upon him, for good and evil put himself on the country. And the said Bailiffs together with the said Community caused an inquest to be held whether he were guilty or not, by which inquest it was found that the said Walter was guilty wherefore they adjudged the said Walter to be hung and they hung him, and when he was taken down from the gallows and taken to the church of St. George to be buried he was found to be alive. And the Jurors being asked by whom the said Walter had been taken down from the said gallows said it was by William son of Thomas Stanhard who came and fully acknowledged it. Therefore he is committed to gaol. The chattels of the said Walter were 4 marks whereof the Sheriff will answer. And it was testified that the said Walter stayed in the said church for 15 days and there he was guarded by the parishes of St. Peter de Hundegate, St. Mary the Less, St. Simon and Jude and St. George before the gate of the church of the Holy Trinity and after the quindene following he escaped from the custody of the said parishes. Therefore to judgment for the escape against the said 4 parishes. And the said Walter after he escaped put himself into the church of the Holy Trinity of Norwich and there stayed until the King pardoned him the suit of his peace, and he now comes and proffers the present lord King's charter in these words, Edward by the grace of God, &c. . . . And the said Bailiffs of the said city together with the Community of the same being asked by what authority they adjudged the said Walter to be hung and hung him without any man's suit or with the mainour say that the lord King at Easter next following after this deed took place came into these parts and was given to understand how the said Walter was hung, wherefore he sent John de Lovetot to the city to enquire concerning the said deed, who for the said deed took the liberty of the city into the hand of the lord King, which remained in the hand of the lord King until his parliament next following. And afterwards at his said parliament he restored the said city to them by his charter.

Inquest on Persons drowned at Cantley, 1343. (*O.F.B. f. xx.*)
(*Translation*).

LXXXVIII.—Concerning those drowned near Cantele.

It chanced on the night of Sunday next after the feast of St. Luke Evangelist in the 17th year of the reign of King Edward

the 3rd after the Conquest¹ that a certain boat called Blitheburghesbot loaded with men and goods coming from Great Yarmouth to Norwich sank near Cantele in the King's river called Wensom belonging to the City of Norwich. On hearing which Thomas de Morlee Coroner of the lord King for the City of Norwich, Roger Verly and Richard de Bitering Bailiffs of the said City came to the said place belonging to the City of Norwich on Monday next following and made inquest concerning the same [de premissis inquisiverunt], as follows :

Inquest held in the suburb² of the City of Norwich in the King's river which is called Wensom belonging of old to the liberty of the said City outside Conesford near Cantele on Monday. . . . before Thomas de Morlee one of the Coroners of the liberty aforesaid and before Roger Verly and Richard de Bitering Bailiffs of the said City then and there present by William de Blitheburgh, John Bullok, Richard the clerk, Richard de Walsingham, Nicholas de Weston, John son of Hubert de Hakeford, Walter le Messenger, John Pauy, John Salle, John de Brigge, William de Melton and Richard Bayle Jurors of the Leet of Conesford, to enquire concerning a boat called Blitheburghesbot loaded with divers goods men and women accidentally sunk in the said river near Cantele ; Who say upon their oath that the said boat was laden with sea coal [carbonibus maris] of the value of 10s., salt in gross [sale grosso] value 12*d.*, 3 barrells of iron called Osmond³ value 1 mark, 1 quatron⁴ of bord called Ringold⁵ value 4*s.*, onions⁶ and herrings value 2*s.* and with men and women drowned in the said river Wensom near Cantele to the number of 40, which river belongs to the City of Norwich. And the said sinking happened there on the night of Sunday. . . . And they say that the cause of the said misfortune and sinking was from a great rain that fell that night and the darkness of the

¹ 19th October, 1343.

² The citizens had jurisdiction over the river down to Breydon Water, then extending much further inland than now. For the purpose of carrying out this jurisdiction they technically call the whole 16 miles of river a "suburb" of Norwich. Cantley was nearly at the extreme limit.

³ Osmonds are said to have been small bars of Swedish iron, imported in barrels, fourteen barrels making a last containing 4,800 lbs. of iron. See a paper by Mr. Micklethwaite in *Antiquary*, vol. xxxiv., p. 53.

⁴ Twenty-five, a quarter of a hundred.

⁵ Wood from Riga (*Lib. Alb. Lond.*, iii. 356, rygholt.)

⁶ Ononis, perhaps for "onionibus."

night and the great and strong wind and the immoderate loading of goods and people which the boat could not bear. [10 bodies were recovered and the first finders were attached]. . . . They say also that the nearest neighbours to the said river are Richard Bullok, Richard le Clerk and William de Melton.¹ And they say that Henry de Happesburgh and Nicholas Eghe who were in the boat escaped alive and gave the above testimony. No Englishry² was presented because the City of Norwich is quit therefrom by charter of King Henry III.

Extracts from Deeds enrolled in the City Court at the close of the 13th Century. They are chiefly selected with a view to illustrate the "Customal" and the "City Courts." (*Case 1 a, Rolls 1 and 2.*)

Rotulus Cartarum recognitarum et in plena Curia Norwici traditarum et in eadem Curia indorsatarum anno regni regis Edwardi tercio decimo Incipiens die mercurii proxima post festum Apostolorum Petri et Pauli Temporibus R. de Todenham et Jacobi Nade Balliuorum Norwici³ (4 July, 1285).

Roll of Charters acknowledged and in the full Court of Norwich delivered and in the same Court indorsed in the 13th year of the reign of King Edward. Beginning on Wednesday next after the feast of the Apostles Peter and Paul In the times of Roger de Todenham and James Nade Bailiffs of Norwich.

LXXXIX.—Thomas de Wulpit chaplain and Juliana widow of John le Maschun executors of the said John produce his testament in court directing the sale of a certain curtilage. They execute a deed of sale according to the terms of the testament.

¹ Evidently these persons, 2 of whom are on the Conesford Jury, were inhabitants of Conesford, of which the whole river is treated as an extension. They could not attach the people near the spot for they would be out of their jurisdiction.

² This notice is curious, for presentment of Englishry had been abolished by Statute of 14 E. III. (1340) three years before this accident. The Bailiffs and Coroners preferred to rely on the authority of a Charter of King Henry III. The exemption from murder fines was originally granted by Richard I., and Henry III. had only reaffirmed it in his own name (No. VI.). Since then their privileges had been confirmed by E. I. (No. IX.), E. II. (No. XII.) and quite recently by E. III. in 1337. The claim had been presented to and allowed by the Itinerant Justices in 41 H. III. (*Book of Pleas*, xxvi. d.), and probably this sanction had been constantly referred to from that time.

³ The liberties had just been restored after a short forfeiture. Only two Bailiffs sat till Michaelmas. (Introduction III. 7.)

Method of Enrolment of Charters.

Portion of Membrane II. of the second Court Roll (or Bundle of Enrolments). This Bundle contains 59 membranes of parchment fastened together at the top and comprises 787 enrolled deeds (nearly all deeds of conveyance) between 1287 and 1298.

The last enrolment at the foot runs thus :

“ Be it remembered that Stephen del Gerner [de granario, of the monastic granary] came into the Court of Norwich on Saturday next after the feast of St. Matthias Apostle in the 16th year of the reign of King Edward son of King Henry [28 Feb., 1288] and acknowledged that he had granted and given to Sir Peter Rocelin and his heirs for his service and for a certain sum of money which he gave to him in hand a piece of land lying in the town of Norwich in the parish of St. Vedast in Nether Conesford between the messuage of the said Sir Peter on the west and the messuage of the Abbot of Sibeton towards the east and abuts upon the watercourse running towards the main river towards the south and upon the common way which leads from the Friars Minors to the main river towards the north. To hold and to have, etc. Rendering therefor yearly to the aforesaid Stephen and his heirs one grain of pepper at the Nativity of the Lord ; and to the capital lords of that fee the services due and accustomed therefrom. And the aforesaid Stephen and his heirs will warrant acquit and defend etc. And thereupon he delivered his deed sealed with his seal to the aforesaid Sir Peter. Which deed is enacted [enrolled] by the hand of John de Ely clerk.

Method of Enrolment of Characters.

The last enclosure at the foot runs thus:

and of John de Blytack
sealed with his seal to the aforesaid Sir Peter. Which deed is copied faithfully in the
and his heirs will warrant, acquit and defend etc. And therefore he requested his lord
lords of that fee the services due and accustomed thereto. And the aforesaid Sir Peter
Stephen and his heirs one grant of paper at the Nether end of the land (and the other
towards the north. To fail and to have, etc. And in the year of the reign of the aforesaid
the south end of the common way which leads from the town of Alton to the town of
towards the east and abuts upon the westernmost running road of the same town of Alton
messuage of the said Sir Peter on the west and the messuage of the aforesaid Sir Peter
in the town of Alton, which is the parish of St. Andrew the Apostle, in the county of Northampton
and for a certain sum of money which he gave to him in hand a quit of said messuage
acknowledged that he had granted and given to the aforesaid Stephen and his heirs and to
the 18th year of the reign of King Edward one of King Henry [sic] 1222) and
came into the Court of Norwich on Saturday next after the feast of St. Matthew [sic] in the
year of the reign of King Edward the Sixth. And the aforesaid Sir Peter [sic] was present
there and it remonstrated that Stephen del Blytack the grantor of the aforesaid grant [sic]

Handwritten text in a medieval script, likely Latin, covering the left page of an open manuscript. The text is dense and fills most of the page area.

Handwritten text in a medieval script, likely Latin, covering the right page of an open manuscript. The text is dense and fills most of the page area.

Memorandum quod Thomas de Wulpit capellanus et Juliana uxor Johannis le Maschun¹ executores testamenti predicti Johannis venerunt et protulerunt testamentum predicti Johannis in plena Curia Norwici in quo continetur quod predictus Johannes legauit unum Curtilagium cum domibus et edificiis in parochia sancti Edmundi de Norwico inter messuagium Jacobi Knot ex parte occidente et messuagium Gode Knot et messuagium Ricardi clerici de Crek ex parte orientali et abuttat ad unum capud super foueam² que dicitur Fredisch ex parte aquilonis et aliud capud super regiam viam ex parte australi, ad vendendum secundum disposicionem testamenti. Quod quidem curtilagium cum omnibus pertinentiis predicti executores vendiderunt Willelmo Albon et heredibus suis et inde tradiderunt cartam suam sigillis eorum sigillatam lectam et traditam in plena Curia Norwici die Mercurii proxima post festum Translacionis sancti Thome martyris anno regni regis Edwardi filii regis Henrici xiiij^o que quidem carta indorsata est per manum Johannis de Ely clerici³ coram J. Nade et R. de Tudenham tunc balliuis Norwici.⁴

(Wednesday, 11 July, 1285).

XC.--Andrew de Rokelund and Ralph le Scoudere, as executors of Henry le Porter, come into court and prove his testament on oath, by which he leaves one half of his messuage to his wife and her unborn infant and the other half to his daughter, the longer liver to have the whole. The clause is enrolled.

Memorandum quod Andreas de Rokelund et Radulphus le Scoudere⁵ venerunt in plenam curiam Norwici die Jouis in vigilia sancti Laurentii anno regni regis Edwardi tercio decimo et per sacramentum suum legacie probauerunt testamentum Henrici le Porter in qua continetur quod legauit Matildi uxori sue et infanti

¹ Mason.

² A ditch.

³ The Common Clerk of the City.

⁴ Besides the particulars contained in this deed, the enrolments generally include the "habendum et tenendum" clause, the "reddendo" clause with mention of services, and the promise of "warranty" by the grantors. The next deed, a grant from Geoffrey de Bungeya and Anabilla his wife to Roger de Tudenham and Isabella his wife, is dated the same day and is endorsed in the presence of James Nade alone, the other Bailiff withdrawing as one of the parties concerned. This practice is frequently to be noticed. The three following deeds are dated respectively on the Thursday, Friday, and Saturday after the Translation of St. Benedict (12th, 13th, 14th July) and are endorsed before both Bailiffs. Thus the Court sat on four consecutive days. So also the same two Bailiffs were sitting for this business on 9th, 10th, and 11th August.

⁵ The same as Qwyttower or White-tower, dresser of white leather. Kirkpatrick *Streets and Lanes of Norwich*, p. 40.

in ventre eius existenti medietatem totius mesuagii sui cum medietate domorum in parochia sancti Michaelis ad placita in Norwico et aliam medietatem illius mesuagii legauit Alicie filie sue. Et ille [sic] qui diutius vixerit dictum mesuagium integre habeat et retineat in perpetuum. Et ista irrotulacio facta fuit die supradicto coram R. de Tudenham et Jacobo Nade tunc Balliuis Norwici. (9 August, 1285.)

XCI.—John the clerk son of Adam Page of Norwich grants to John de Runhale chaplain a plot of vacant land in St. Peter Mancroft which abuts on the Cockey. The grant includes license to build over the cockey and the vacant land which license had been obtained by John from the Community of the Citizens of Norwich.

Johannes clericus filius Ade Page de Norwyco venit in plenam Curiam Norwici die Jouis proxima post festum sancti Michaelis anno. . . . xii^o finiente et cognouit se concessisse et dedisse Johanni de Runhale capellano unam placeam terre vacue quam dictus Johannes clericus adquisiuit de Willelmo filio Petri But in Norwico in parochia sancti Petri de Manecroft cum omnibus aysiammentis et pertinenciis suis Jacentem inter mesuagium Rogeri de Penteneye versus occidentem et viam regalem versus orientem et versus aquilonem que ducit de Sellaria versus Curiam Comitatus et abuttabat super terram Galfridi de Bungeye versus austrum. Concessit etiam dictus Johannes dicto Johanni capellano edificare pro voluntate eius et heredum suorum tenementum prenomiatum tam super Cokeyam¹ ibidem dispositam ex parte occidentali dicte placee terre quam super eandem vacuum placeam secundum tenorem impetracionis carte dicti Johannis clerici quam inde habuit ex Communitate Ciuium Norwici saluo ibidem rationabili et debito cursu Cokeye supradicte sine impedimento. Reddendo inde annuatim dicto Johanni clerico et heredibus suis x solidos argenti ad duos anni terminos videlicet ad Pascha v s et ad festum sancti Michaelis v s. Et inde tradidit cartam suam sigillo suo signatam in plena Curia predicta coram Adam de Thoft, Rogero de Morleye, Galfrido de Bungeye et Willelmo But tunc Balliuis Norwici. Que quidem carta indorsata est per manum Johannis de Ely clerici. (4 October 1285.)

XCII.—Simon le Palmer acknowledges in the Court of Norwich the sale of a messuage in All Saints, Leicester, formerly belonging to

¹ Cockey, a local word for a stream or watercourse, now used of a drain.

his father. He delivers to an attorney his sealed letters patent, with the seal of the Community of Norwich in witness of his seal.

Mem. quod Simo le Palmer venit . . . die Jouis proxima post festum Omnium Sanctorum anno tercio decimo finiente et cognouit se vendidisse Roberto filio Willelmi le Kellerer de Leycestre unum mesuagium cum pertinenciis quod quondam fuit Johannis de Stertesford patris sui in villa de Leycestre in parochia Omnium Sanctorum. Et attornauit Robertum Ded de Leycestre loco suo ad ponendum dictum Robertum in plenam seisinam dicti mesuagii cum pertinenciis. Et inde fecit dicto Roberto Ded literas suas patentes et procurauit sigillum Communitatis Norwici apponi in testimonium sigilli sui. Et carta feofamenti indorsata est per manum Johannis de Ely clerici. (8 November 1285.)

XCIII.—A butcher and his wife obtain 3 marks (40s.) in return for an annual rent of 6s. payable quarterly out of their messuage. By a collateral agreement they may release the whole by payment of 40s. within 4 years, or release 12 pence of annual rent by each payment of half a mark (6s. 8d.). If not released within the appointed term the annual rent of 6s. is to remain permanently.

[Geoffrey de Eston, butcher, citizen of Norwich, and Matilda Guraunce his wife . . . on Wednesday after the feast of St. Edmund Archbishop in 14th Edward beginning¹ granted to William de Burwode citizen of Norwich, for 3 marks of silver paid into their hands, 6 shillings of annual rent² to be paid quarterly in equal portions out of the messuage of Geoffrey and Matilda in the parish of St. Peter Mancroft in the Overowe. They will warrant the rent and suffer distraint in default of payment. Then follows the collateral agreement].

Set dictus Willelmus de Burwode cognouit dicto die Mercurii quandam conuencionem a latere inter eos esse factam que talis est quod quandocunque dicti Galfridus et Matildis soluerint dicto Willelmo aut heredibus eius quadraginta solidos infra terminum quatuor annorum proxime post supradictum diem Mercurii subsequentium plenarie quod dictus Willelmus et heredes sui relaxabunt predictis Galfrido et Matild' et omnino quietum clamabunt totum ius et clameum quod habent in predicto redditu. Et quandocunque

¹ 21st Nov. The regnal years of Edward I. began on 20th November.

² This was a method of obtaining a loan. The annual rent took the place of interest, which was prohibited as usury.

et quotienscunque dicti Galfridus et Matildis infra predictum terminum soluerint dicto Willelmo aut heredibus suis dimidium marce quod dicti Willelmus aut heredes sui relaxabunt xij denarios predicti redditus. Et nisi prout predictum est dicto Willelmo aut heredibus suis satisfecerint infra terminum predictum concedunt dicti Galfridus et Matildis quod predicti sex solidi annualis redditus remaneant dicto Willelmo et heredibus suis hereditarie in perpetuum. Ita quod nec ipsi Galfridus et Matildis in predicto redditu aliquod ius exigere vel vendere poterint.

XCIV.—Nicholas de Ingham and Gundreda his wife grant to their son Walter all their stone houses in Fibrigate: A year afterwards a claim is made on behalf of Gundreda.

Mem. quod Nicholaus de Ingham et Gundreda uxor eius venerunt per attornatos suos vidz. Johannem de Ingham et Rogerum de Tudenham die lune post festum sancte Lucie virginis anno xiiij^{mo} [17 Dec. 1285] et cognouerunt se concessisse et dedisse Waltero filio dictorum Nicholai et Gundrede omnes domos suas lapideas in villa de Norwico in Fibrigate Reddendo inde ciuibus Norwici per decem annos subsequentes ad emendacionem dicte ciuitatis quolibet anno decem solidos et capitalibus dominis feodi seruicia debita et consueta pro omni seruicio. Et dicti N. et G. . . . warrantizabunt &c.

Johannes de Kenington communis amicus apposuit clameum nomine dicte Gundrede die lune proxima post festum sancti Thome Apostoli anno regis Edwardi xv^{mo}. (23 Dec. 1286.)

XCV.—A plot of land granted to a man with remainder to his sister and, if both die without lawful heirs, with remainder to their father and his nearest heirs and assigns. (18 Dec. 1285.)

[William Salman weaver and Alice de Ling his wife on Tuesday after St. Lucy in the 14th year granted to John son of Hubert de Framingham draper a plot of land with walls out of his messuage in St. Lawrence in Upper Westwyk]. Et si predictus Johannes moriatur sine herede de se procreato predicta terra remaneat Mabilie sorori eiusdem Johannis. Et si predicta Mabilia moriatur sine herede de se. . . . remaneat Huberto patri eorum et proximis heredibus et eorum assignatis in perpetuum.

XCVI.—A deed of feofment having been made to a man alone is cancelled and another substituted by which he and his wife are conjointly enfeofed. (12 March 1286.)

[Geoffrey de Brunne and Margaret his wife and William de Burtoft "*caligarius*"¹ and Isabella his wife on Tuesday the feast of St. Gregory the 14th year granted to Thomas de Hinningham citizen of Norwich a plot of land in St. Gregory]. Postea venerunt et de unamimi assensu et voluntate mutauerunt istam cartam et fecerunt aliam cartam in qua predicti Thomas et Claricia uxor eius coniunctim sunt feoffati.

XCVII.—William de Wesenham shoemaker and Alice his wife having quit-claimed to Master Alan de Freston all right in a messuage in Conesford formerly belonging to John Currey father of Alan and Alice, the latter sets her separate seal to the deed in testimony of her free action without undue influence of her husband or any other person.

Mem. quod Willelmus de Wesenham sutor et Alicia uxor eius filia Johannis de Currey de Norwico venerunt die Jouis proxima post festum Apostolorum Petri et Pauli anno domini M. CC. LXXX. sexto et regni xiiii^{mo} et cognouerunt se quietum clamasse Magistro Alano de Freston² totum ius in toto mesuagio quod quondam fuit Johannis Currey patris predicti Alani in Norwico in vico de Conesford In cuius rei testimonium prefata Alicia nulla coactione metu vel communicacione mariti vel cuiusque alterius inducta set libera mera et spontanea voluntate in signum quod omnia predicta rata et firma habebit et habet in perpetuum cuidam carte sigillum suum una cum sigillo Willelmi mariti sui omnibus predictis consensum et assensum adhibens apposuit.

XCVIII.—A penny by the outgoing owner and another by the incoming owner granted to the Bailiffs according to the custom of the city. (14 Aug. 1286.)

[Walter son of Nicholas de Ingham on Wednesday after St. Laurence in the 14th year granted to John de Ingham his uncle, burgess of Yarmouth all his messuage in Norwich in St. Simon and St. Jude in the Cookrowe]. Et insuper

¹ Translated "*hosyer*" in *Promptorium Parvulorum*. In Norwich they are connected with "*alutarii*," and probably made leather gaiters: "*caliga*, boots." Hales, *Domesday of St. Paul's*, p. cxxxiii.

² Archdeacon of Norfolk. See No. CXLVI.

predictus Walterus dedit Balliuis Norwici unum denarium¹ de iure suo exeundo et predictus Johannes dedit eisdem balliuis unum denarium ad ius suum intrandum secundum consuetudinem ciuitatis Norwici.

XCIX.—John son of John Chese of Norwich and Alice his wife being at Salisbury grant a piece of land in the suburb of Norwich to John de Framingham citizen of Norwich by their attorney John Bunting merchant, to whom they give their letters patent addressed to the “Bailiffs and discreet men of Norwich.” (14 Jan. 1287.)

Mem. quod Johannes filius Johannis Chese de Norwico et Alicia uxor eius venerunt die Martis proxima post festum sancti Hillarii anno xv^o per Johannem Bunting atornatum suum qui tulit literas dictorum Johannis et Alicie patentes in hec verba; Discretis viris Balliuis ciuitatis Norwici et probis hominibus eiusdem ciuitatis Johannes filius Johannis Chese de Norwico et Alicia uxor eius salutem cum honore. Nouerint discreciones vestre nos constituisse et fecisse Johannem Bunting mercatorem presentium portitorem atornatum nostrum ad ponendum Johannem de Framingham ciuem Norwici vel aliquem alium quem idem Johannes loco suo assignare voluerit in plenam seisinam unius pecie terre que iacet in suburbio Norwici In cuius rei fidem plenioram et testimonium presentes literas sigillis nostris signatas vobis mittimus patentes. Datum Sarr² die Martis ante festum sancti Edmundi regis anno quarto decimo, incipiente xv^{mo} [19 Nov. 1285]. Et iidem Johannes et Alicia recognouerunt se concessisse &c.

C.—Roger Benjamin of Norwich and Editha his wife formerly wife of John de Hahill grant to Ralph Boleman citizen of Norwich a messuage in St. Stephen. Two days afterwards Ralph Boleman and Margaret his wife re-grant to Roger Benjamin the same messuage “lately had by gift and feofment of Roger &c.”

Mem. quod Rogerus Benjamin de Norwico et Editha uxor eius que fuit uxor Johannis de Hahill venerunt die sabbati in festo sancti Petri in Cathedra anno xv^o [22 Feb. 1287] et recognouerunt se concessisse et dedisse Radulpho Boleman ciui Norwici unum mesuagium

¹ Called “Hutpenny” (outpenny) and “Inpenny,” No. CXV.

² Salisbury. No. CXLVII.

in parochia sancti Stephani simul cum quatuor denariis et obolo annui redditus.

CI.—Mem. quod Radulphus Boleman carnifex et Margareta uxor sua venerunt die lune in festo sancti Mathie apostoli anno xv^o [24 Feb. 1287] et recognouerunt se unanimi assensu concessisse et dedisse Rogero Benjamin de Norwico totum illud mesuagium cum toto redditu annuo quod predictus Radulphus nuper habuit ex dono et feoffamento predictorum Rogeri et Edithe uxoris eius que quondam fuit uxor Johannis de Hahill in Norwico in parochia sancti Stephani¹ &c.

CII.—William and Matilda children of Thomas late Rector of Carleton by Forehowe by Katerine de Wymondham sell to Master Hugo de London Rector of the Church of St. Faith of Wichingham their messuage in St. George de Colgate devised to them in their father's testament. William declares himself in court to be of the age of 15 years.² Matilda declares herself to be of the age of 17 years. (1 March 1287.)

Mem. quod Willelmus filius Thome quondam Rectoris ecclesie de Carleton iuxta Fourhowe et Matilda soror sua ex Katerina de Wymondham procreati venerunt die sabbati proxima post festum sancti Mathie apostoli anno xv^o et recognouerunt se vendidisse Magistro Hugoni de London Rectori ecclesie sancte Fidis de Wichingham totum mesuagium suum quod predictus Thomas pater predictorum Willelmi et Matildis in testamento suo predictis Willelmo et Matildi sorori sue [legauit] in Norwico in parochia sancti Georgii de Colgate &c. . . . Et dictus Willelmus recognouit se esse de etate xv. annorum et dicta Matilda xvij annorum.

CIII.—A deed of Peter Melding granting an annual rent in Norwich to the Nuns of St. George of Thetford having been torn by Hugo de Bromholm in the presence of the Bailiffs, the contents of the deed are recited in a writing to which the donor sets his seal. It is attested by various witnesses but not by the Bailiffs nor is it said to be endorsed nor enacted. (14 March 1287.)

Mem. quod die Veneris proxima post festum sancti Gregorii anno xv^o ita contigit quod cum Willelmus [?] atornatus Priorisse

¹ These grants and regrants frequently occurring in the Enrolments were meant to create a new tenure more advantageous to the holder.

² See post No. CXXXVIII.

de Theford attulit quandam cartam de quinque solidis annualis redditus nominibus Petri de Melling et sanctimonialium de Theford coram Adam de Saham et Johanne le Blekestere tunc Balliuis Norwici predicta carta inter dictum [Adam] et Hugonem de Bromholm per ipsum Hugonem¹ dilacerata fuit. Et continetur in dicta carta quod predictus Petrus de Melding miles concessit et dedit Deo et ecclesie sancti Georgii de Theford et sanctimonialibus ibidem Deo seruientibus pro salute anime sue et Johanne uxoris sue quinque solidos annui redditus percipiendos in Villa de Norwico &c. . . . In cuius rei testimonium et securitatem presenti scripto predictus Petrus sigillum suum posuit. Hiis testibus, Nicholao de Hakeford, Johanne Knot, Radulpho Cust, Willelmo de Welles,² Laurentio de Fibriggate, Edmundo fabro Thoma clerico et aliis.

CIV.—Robert son of Emma de Norwich, candelar, quitclaims to the Prior and Convent of St^t Faith of Horsham all right in a tenement in St^t Simon and St^t Jude in the Cookrowe concerning which a plea had been moved in the full court of the lord King in the Tolhouse of Norwich by writ of Right of the lord King between Robert as petent and the Prior and Convent and their tenant as defendants. (23 May 1287.)

Mem. quod Robertus filius Emme de Norwico Candelar venit in Curiam Norwici die Veneris proxima ante festum Pentecoste anno xv^o coram Adam de Toftes et sociis suis tunc Balliuis Norwici et cognouit se concessisse et omnino quietum clamasse Deo et Ecclesie sancte Fidis de Horsham domino Raymundo Priori et eiusdem loci Conuentui totum ius et clameum quod unquam habuit vel habere potuit nomine hereditamenti per mortem Gilberti Cogthrote vel aliquo alio modo in toto tenemento quod Ricardus Resun et Johannes Chilman assignati et tenentes predictorum Prioris et Conuentus tenent in Norwico in parochia sanctorum Simonis et Jude in vico de Cueria scilicet unde placitum motum fuit in plena Curia domini Regis in Theolonio Norwici per breue domini Regis de recto³ inter predictum Robertum petentem et

¹ Hugo de Bromholm was Constable of the Leet of Conesford in 1288. No. CCCXIII.

² This witness and the two which follow were the holders of the tenements out of which the rent was granted.

³ The Writ of Right instituted proceedings to decide the ownership in a free tenement. Its method is described in ch. xi. of the Custumal, No. XLIX.

predictos Priorem et Conuentum, Ricardum et Johannem defendentes &c. Et inde tradidit &c.

CV.—Robert de Wymondham of Norwich grants in frank-almoign to the Prior and Convent of the Holy Trinity of Norwich a messuage in St. Vedast. If the Prior and Convent are ejected, because by the King's statute they have no legal remedy of recovery, Robert and his heirs bind themselves to pay to the Prior 10 marks of silver within a fortnight after their ejection. (8 July 1287.)

Mem. quod Robertus de Wymondham de Norwico venit die Martis proxima post festum Translacionis sancti Thome anno xv^o et cognouit se concessisse et dedisse Willelmo de Kyrkeby Priori Ecclesie sancte Trinitatis Norwici et eiusdem loci Conuentui et eorum successoribus in liberam elemosinam totum mesuagium suum quod idem Robertus nuper adquisiuit de Radulpho de Nokes de Salehus in Norwico in parochia sancti Vedasti et iacet inter mesuagium Laurentii de Birlingham ex parte orientali et mesuagium Galfridi de Brundale ex parte occidentali. Et abuttat super viam regiam versus aquilonem et super pratum Galfridi le Mercer versus austrum. Habendum &c. saluo inde annuatim uno obolo ad Landgabulum¹ domini Regis. Et predicti Robertus et heredes warrantizabunt &c. Et si ita contigerit quod predicti Prior et Conuentus vel eorum successores eiciantur de predicto mesuagio per quod post statutum domini Regis² non possint habere remedium Juris ad mesuagium illud recuperandum predictus Robertus et heredes sui tenentur eidem Priori et successoribus suis in decem marcis argenti soluendis infra quindenam postquam de mesuagio illo per quemcunque eiecti fuerint. Et inde tradidit &c.

CVI.—John de Eton grants to Yizhannus de Hedersete draper for £40 sterling his capital messuage in the street of Nedham with all goods movable and immovable. (29 July 1287.)

CVII.—Six days later Yezannus de Hedersete grants to Alan de Hedersete his brother for his advancement all the above messuage &c., "lately acquired of John de Eton citizen of Norwich." (4 Aug. 1287.)

CVIII.—Five days later Alan de Hedersete, lindraper, citizen of Norwich for £42 grants to John de Eton lindraper, citizen of Norwich

¹ The old burgage rent still payable on certain tenements. It went to the Bailiffs towards the payment of the fee farm rent.

² The Statute of Mortmain enacted in 13 Edward I.

and his heirs and assigns all the same messuage &c., "which the said Alan lately had by the gift and feofment of Yezannus de Hedersete his brother" in Nedham. (9 Aug. 1287.)

Mem. quod Johannes de Eton venit in Curia Norwici die Martis proxima post festum sancti Jacobi anno xv^{mo} et cognovit se concessisse et dedisse Yizhanno de Hedersete draper pro quadraginta libris sterlingorum quas sibi dedit in gersumam capitale mesuagium suum in vico de Nedham quod est inter mesuagium quondam Galfridi Manning versus aquilonem et mesuagium predicti Johannis quod idem Johannes nuper adquisiuit de Willemo de Schotesham et terram Willelmi de Tibenham pelliparii¹ versus austrum Cuius capud occidentale abuttat super viam regiam et capud orientale super terram Willelmi de Causton Reddendo inde annuatim ad landgabulum domini Regis unum obolum, dicto Rogero unum obolum, Willelmo de Schotesham et heredibus suis et suis assignatis quatuor solidos ad quatuor anni terminos usuales pro equalibus porcionibus et Camerario sancte Trinitatis Norwici quatuor denarios annuatim ad quatuor terminos usuales pro omnibus secularibus seruiciis &c. Preterea predictus Johannes concessit et vendidit predicto Yizhanno cum mesuagio predicto omnimoda bona sua mobilia et immobilia tam in bestiis viuentibus quam in aliis possessionibus quibuscunque que idem Johannes reliquit in dicto mesuagio die confeccionis huius carte. Et inde tradidit &c.

Mem quod Yezannus de Hedersete venit in Curiam Norwyci die lune proxima post festum sancti Petri adiuncta anno xv^o et cognovit se concessisse et dedisse Alano de Hedirsete fratri suo ad promocionem suam totum illud mesuagium cum pertinentiis suis et cum omnimodis bonis et catallis in illo mesuagio inuentis quod ipse Yezannus nuper adquisiuit de Johanne de Eton Ciue Norwyci in Norwyco [with all abuttals as in the previous deed]. Habendum &c. Faciendo inde annuatim dominis feodi seruicia debita secundum tenorem carte quam dictus Johannes fecit predicto Yezanno et quam idem Yezannus predicto Alano liberauit.

Mem. quod Alanus de Hedersete, lindraper, Ciuis Norwyci venit in Curia Norwyci die sabbati in vigilia sancti Laurencii anno xv^{mo} et cognovit se concessisse et dedisse Johanni de Eton²

¹ Skinner.

² The original grantor who now receives back his messuage on payment of £2 more than he (? nominally) received for it 11 days before. See *ante* No. CI., Note 1.

lindraperio Ciui Norwyci et heredibus suis et suis assignatis pro quadraginta duabus libris sterlingorum quas sibi dedit pre manibus totum illud mesuagium cum pertinenciis suis et cum omnimodis bonis et catallis in dicto mesuagio inuentis mobilibus et immobilibus quod mesuagium predictus Alanus nuper habuit ex dono et feoffamento Yezanni de Hedersete fratris sui in Norwyco in vico de Nedham [with all abuttals as in 2 previous deeds]. Habendum et tenendum adeo integre in omnibus sicuti dictum mesuagium idem Alanus habuit et tenuit ex predicto dono predicti Yezhanni fratris sui. Faciendo inde annuatim dominis feodi seruicia debita. Ita scilicet quod nec predictus Alanus nec heredes sui nec aliquis alius per ipsos vel nomine suo aliquam calumpniam vel aliquod Jus in mesuagio predicto cum suis pertinenciis seu in aliquibus bonis aut catallis supradictis prout predictum est decetero exigere clamare vel habere poterint in perpetuum. Et inde tradidit &c.

CIX.—Matilda daughter of William de Welles formerly wife of William son of Robert Gerneys of Brakendele grants to William de Welles her father, for the term of his life, 11s. annual rent out of 1 mark yearly, which Matilda had by gift and feofment of her said father out of two messuages in Lower Newport. If Matilda should survive her father the 11s. after his decease should revert (integre reuertentur) to Matilda and her heirs and assigns. If Matilda should die first without any lawful heir (si vero contingat predictam Matildem sine herede ex se legitime procreato in fata decedere) they should remain to the father and his heirs with free right to alienate (cui quibus et quando dare vendere et legare &c.). (4 Sept. 1287.)

CX.—Matilda widow of Robert de Coventre of Norwich quitclaims to Roger de Morle citizen of Norwich all right in a garden and a messuage formerly belonging to Robert her husband and also in 3 shillings annual rent received from a shed in the Drapery, which dowers Matilda claimed in the King's court against Roger and his tenants by writ of dower. (24 Sept. 1287.)

Mem. quod Matilda que fuit uxor Roberti de Couentre de Norwyco venit in Curia Norwyci die Mercurii proxima ante festum sancti Michaelis anno xv^{mo} et cognouit se remisisse et omnino quietum clamasse in libera viduitate sua Rogero de Morle Ciui Norwyci totum Jus quod habuit nomine dotis in uno gardino quod fuit predicti Roberti quondam viri sui quod predictus Rogerus tenet in Norwyco in parochia sancti

Vedasti Remisit etiam et omnino quietum clamavit predicto Rogero de Morle et heredibus suis totum Jus quod habuit nomine dotis per mortem Nicholai le Tannur quondam viri sui in tribus solidis annualis redditus in foro Norwyci in vico Draperie, quas quidem dotes predicta Matilda petiit in Curia domini Regis versus dictum Rogerum et tenentes eius per breue Unde nichil habet.¹ Ita scilicet quod nec dicta Matilda nec aliquis alius &c. Et inde tradidit &c.

CXI.—John de Walton and Margaret his wife daughter of Hugo de Brumham having pleaded an assize of novel disseisin against John Page and others, concerning a certain messuage in St^r Julian held by John Page, before the King's Justices at Norwich in 7 Edward had afterwards withdrawn from their writ and executed a deed of quitclaim sealed with their seals and endorsed in court according to the custom of the city. Now of late it is reported to John Page that John de Walton being dead Margaret his widow notwithstanding the withdrawal and the quitclaim proposed to implead him again. He therefore produces in court a transcript of the assize, the deed of quitclaim and another deed of Faith sister of Margaret, and "at the petition of the said John Page with the assent of the whole Community of Norwich, in order that whenever any discussion should chance to arise concerning the said tenement through Margaret or her heirs they might be opposed, the transcript of the assize and the deeds are enrolled in these words &c."

The consideration given by agreement to Margaret by John Page for withdrawing from the assize was 20 marks and a robe worth 20s., the robe and 5 marks to be given at once.

In the deed of quitclaim the assize is said to have been pleaded "coram ipso domino rege."²

Mem. quod cum quidam Johannes de Walton et Margareta uxor eius filia Hugonis de Brumham³ quandam assissam noue disseisine⁴ coram dominis R. de Hengham Nicholao de Stapelton

¹ The name of a Writ ("Whereof she has nothing") to claim a reasonable dower. The Norwich practice as to a reasonable dower has not been found mentioned definitely in our records. It was probably as in London, one-third of the estate to the wife and one third to the children, or if there were no children, then one half to the wife. In No. CCXLIV., a wife claims one half as her husband's gift.

² The King was in Norwich at the time, taking part in the reconsecration of the Cathedral after the damage done by the rioters in 1272. He need not, however, have actually been in court. (See Maitland, *Crown Pleas*, *Selden Society*, vol. I., p. xiv.)

³ This may be the same as Hugo de Bromholm mentioned in No. CIII., but it is doubtful.

⁴ An action to obtain possession (not ownership) of a tenement by verdict of a jury.

et Waltero de Wynburne Justiciariis de Banco domini Regis apud Norwycum anno regni regis Edwardi septimo aramiassent¹ versus Nicholaum de la Bothe Hugonem Waukel et Johannem Page de libero tenemento ipsorum Johannis de Walton et Margarete uxoris sue in Norwico videlicet de uno mesuagio cum pertinenciis &c. Tandem de consilio amicorum² predicti Johannes de Walton et Margareta retraxerunt se de breui suo per quod consideratum fuit quod ipsi et plegii de proseguendo fuissent in misericordia quia non sunt presentes. Et iidem Johannes de Walton et Margareta coram prefatis Justiciariis remiserunt et omnino quietum clamauerunt pro se et heredibus suis predictum mesuagium &c. predicto Johanni Page et heredibus suis in perpetuum prout in Rotulo eiusdem anni plene continetur. Et nihilominus ad maiorem securitatem quandam cartam quiete clamantie eidem Johanni Page inde fecerunt sigillis suis consignauerunt et in Curia Norwici per manum Ade le Clerk indorsari fecerunt secundum consuetudinem Ciuitatis die Veneris proxima post festum sancti Andree apostoli anno regis E. septimo [2 Dec. 1278]. Et quia idem Johannes Page ex relatu quorundam nuper intellexit quod predicta Margareta post mortem predicti Johannis de Walton viri sui ipsum Johannem Page non obstantibus predictis subtractione recognicione et quieta clamancia implacitare proposuisse Idem Johannes Page transcriptum predicte assisse et predictam cartam quiete clamancie quam iidem Johannes de Walton et Margareta et cartam quam Fides filia Hugonis de Brumham eidem Johanni Page inde fecerunt protulit in Curia Norwyci die lune proxima post Purificacionem beate Marie anno regni regis E. filii regis H. septimo decimo [7 Feb. 1289] et ad supplicacionem predicti Johannis Page de assensu totius communitatis Norwyci³ ut quandocunque aliqua discussio per predictam Margaretam seu heredes suos super dicto tenemento fieri contigerit predicte

¹ To bring forward or commence an action (*Records of Nottingham* II. Glossary *aramiare*).

² This or similar expressions in these entries seem to describe the form of proceeding in making a "fine" (*finalis concordia*, or final agreement). By "advice of common friends" the parties consented to a certain agreement. To effect this the claimants obtained the license of the court to withdraw from the action, paying a penalty as if in default. Then the fine or agreement was acknowledged in court and was enrolled in the City Roll, thus obtaining the sanction of the Court.

³ The assent of the Community may have been necessary because the matter had not been dealt with in the City Court and had occurred 10 years before. The evidence of the enrolment could not afterwards be traversed.

Margarete et heredibus suis obstare possent transcriptum predicte assisse et predicte carte ad perpetuam memoriam irrotulantur in hec verba.

Coram dominis Radulpho de Hengham apud Norwycum. Anno regis E. septimo. De Termino sancti Hillarii. Assissa venit recognitura si Nicholaus de la Bothe Hugo Waukel et Johannes Page iniuste &c. disseisinauerunt Johannem de Walton et Margaretam uxorem eius de libero tenemento suo post primam &c. Et unde queruntur quod disseisinauerunt eos de uno mesuagio &c. Postea venerunt predicti Johannes et Margareta et retraxerunt se de breui suo. Ideo ipsi et plegii sui de proseguendo in misericordia quia non sunt presentes. Perdonantur quia pauperes. Postea conuenit inter eos Et pro hac &c. predictus Johannes Page dabit predicte Margarete viginti marcas et unam robam precii viginti solidorum unde reddet predictam robam et quinque marcas incontinentim et quinque marcas ad festum Purificacionis beate Marie proxime sequens et ad festum Pasche quinque marcas et ad Pentecostem quinque marcas. Et nisi fecerit concedit quod &c. de terra et catallis &c.

Carta Johannis de Walton et Margarete uxoris sue filie Hugonis de Brumham facta Johanni Page.

Sciunt presentes quod quietum clamauimus Johanni clerico filio Ade Page de Norwyco . . . totum ius in toto illo mesuagio quod dictus Johannes clericus tenet in Norwyco in parochia sancti Juliani scilicet quod fuit prefati Hugonis de Brumham patris dicte Margarete unde placitum motum fuit inter nos et dictum Johannem clericum in curia domini regis coram ipso domino Rege apud Norwycum die Veneris proxima post festum sancti Andree apostoli anno regni ipsius domini regis septimo incipiente [2 Dec. 1278]. Habend' &c. . . . [The deed was indorsed and attested by the Bailiffs and others the same day].

Carta Fidis filie Hugonis de Brumham facta predicto Johanni Page Data apud Norwycum die Jouis proxima ante festum sancti Nicholai anno undecimo. Et ista carta indorsata fuit per manum Ade de Clerk die Jouis proxima post festum sancti Andree apostoli anno undecimo.¹

[The whole series of enrolments is thus concluded].

Ista suprascripta irrotulacio tangens predictum tenementum predicti Johannis Page facta est per Johannem de Ely clericum

¹ The two dates here given refer to the same day (3 Dec., 1282).

per preceptum Balliuorum et totius Communitatis Norwyci die lune proxima post Purificacionem beate Marie anno regni predicti domini regis Edwardi septem decimo. [7 Feb. 1289.]

CXII.—A widow, on 2 May 1289, borrows¹ (?) 30s. by a grant of an annual rent of 9s. 11d. payable half-yearly. By a collateral agreement she may redeem the annual rent by payment of 30s. the following Michaelmas.

[Katerine widow of John le Dene de Brakne, on Monday after the feast of the Apostles Philip and James in the 17th year, grants to Sir (domino) William de Quitewelle Knight an annual rent of 9s. 11d., to be paid half-yearly, out of tenements in the street of Fibriggate.] Et super hoc dictus dominus Willelmus de Qwytwelle miles recognouit quandam conuencionem inter eos esse a latere factam videlicet quod si dicta Katerina soluat dicto domino Willelmo vel heredibus suis triginta solidos sterlingorum in festo sancti Michaelis anno regni regis nunc xvij^o quod tunc solute et quiete remaneant dicti nouem solidi et undecim denarii &c.

CXIII.—Hugo de London grants a messuage in St. George de Colgate, acquired of William and Matilda children of Katerine de Wymondham, to John and Alice his foster children and to Isabella de Bradenham their mother. The grant is made to John and Alice and their lawful heirs, and to Isabella for life if she remains unmarried. If Isabella marries, John and Alice are to give her 4 marks for a marriage portion and thenceforth to have entire possession. If John and Alice die without lawful heirs, the messuage is to revert to Hugo and his heirs on the death of Isabella if unmarried. Hugo appoints William Albon clerk and John de Poringlond guardians of John and Alice. (8 August 1289).

Mem. quod Hugo de London venit die lune proxima ante festum sancti Laurencii anno xvij^o et recognouit se concessisse et dedisse Johanni et Alicie alumpnis suis et Isabelle de Bradenham matri eorundem totum illud mesuagium quod idem Hugo adquisiuit de Willelmo et Matilde filiis Katerine de Wymendham² in parochia sancti Georgii de Colgate Habend' et tenend' Johanni et Alicie et heredibus eorum ex eisdem Johanne et Alicia legitime procreandis, et eidem Isabelle ad totam vitam suam si se non maritauerit, Reddendo &c. Sic

¹ See *ante*, No. XCIII.

² See *ante*, No. CII.

videlicet quod si contingat predictam Isabellam maritari predicti Johannes et Alicia aut aliquis eorum nomine dabunt eidem Isabelle quatuor marcas argenti in maritagium et extunc predictum mesuagium integre remaneat dictis Johanni et Alicie et eorum heredibus de se legitime procreatis. Et si predicti Johannes et Alicia sine herede de se decesserint dictum mesuagium predicto Hugoni et heredibus suis post obitum dicte Isabelle si se non maritauerit integraliter reuertatur. Et predictus Hugo et heredes sui warrantizabunt. Et inde tradidit &c. . . . Et predictus Hugo constituit Willelmum Albon clericum et Johannem de Porringlond Custodes predictorum Johannis et Alicie filiorum Isabelle de Bradenham.

CXIV.—Geoffrey le Mercer and Margery his wife, formerly wife of Gervase de Irstede tanner, having brought into the "full Court of Tolhouse" a Writ of Reasonable Dower, had claimed such dower for Margery out of a messuage, in St^e George before the Gate of the Church of the Holy Trinity, formerly of Gervase and now held by Adam de Stirton clerk and Matilda his wife. A plea having been moved thereon in the said Court, Adam and Matilda had vouched to warrant Hamo son of Simon de Berstrete. Hamo being summoned had vouched to warrant Nicholas de Irstede tanner and Beatrix his wife, daughter of Gervase. By verdict of a special jury Geoffrey and Margery had recovered their dower against Adam and Matilda in respect of their messuage. Finally Nicholas and Beatrix having by judgment of the Court warranted the said messuage to Hamo, the Bailiffs by judgment of the Court and after view by sworn viewers had delivered to Hamo a stall in the Meat Market belonging to Nicholas and Beatrix and formerly to Gervase, and also 2s. rent out of a messuage in St^e Peter de Suthgate, to the value of Margery's dower to be held for the term of her life. Now therefore Hamo, being seised of the said stall and rent, at the instance of common friends, leases them to Geoffrey and Margery to hold for the term of Margery's life with reversion at her death to Nicholas and Beatrix and their heirs. (27 October 1289.)

Mem. quod cum Galfridus le Mercer de Norwico et Margeria uxor eius que fuit uxor Geruasii de Irstede tannatoris nuper anno regni regis Edwardi decimo septimo tempore Rogeri de Tudenham et sociorum suorum Balliuorum Norwici tulissent breue domini Regis de rationabili dote quod dicitur "Unde nichil habet" in plenam Curiam Theolonii Norwici et per illud breue in eadem Curia petissent rationabilem dotem dictam Margeriam contingentem de uno mesuagio cum pertinenciis quod fuit predicti

Geruasii de Irstede et quod Adam de Stirton clericus et Matilda uxor eius tenent in Norwico in parochia sancti Georgii ante portam sancte Trinitatis scilicet ex opposito Janue eiusdem ecclesie sancte Trinitatis ac iidem Adam et Matilda in defensione sua placiti inde moti in dictam Curiam vocassent Hamonem filium Simonis de Berstrete nepotem et heredem Johannis le Den de Norwico ad warantum¹ de dicto mesuagio cum pertinenciis, et eciam predictus Hamo in dictam Curiam summonitus ad respondendum in premissis vocasset ulterius ad warantum in hac parte Nicholaum de Irstede tannatorem et Beatricem uxorem eius filiam predicti Geruasii et per quandam Juratam inde inter eos in prefata Curia captam predictus Galfridus le Mercer et Margeria recuperassent predictam dotem suam versus predictos Adam et Matildam de mesuagio supradicto, tandem cum ex consideracione dicte Curie predicti Nicholaus et Beatrix warrantizauerunt dicto Hamoni dictum mesuagium et cum Balliui per consideracionem dicte Curie et per visum Juratorum dicto Hamoni tradidissent quoddam stallum cum pertinenciis predictorum Nicholai et Beatricis quod quondam fuit predicti Geruasii in foro Carnium Norwici quod est inter stallum Henrici le Rus versus austrum et stallum Rogeri de Morle versus aquilonem, et duos solidos annualis redditus de mesuagio Huberti Unewine de Bramerton quod fuit Willelmi King in Norwico in parochia sancti Petri de Suthgate ad valenciam predicte dotis dicte Margerie, Habenda in tota vita dicte Margerie; Predictus Hamo de dicto stallo et dicto redditu annuali seisisus ad instanciam communium amicorum interuenientium concessit tradidit et dimisit predictis Galfrido et Margerie nomine dicte dotis sue recuperate predictum stallum et predictos duos solidos annualis redditus. Habend' eidem Galfrido et Margerie in tota vita ipsius Margerie quiete et pacifice Ita tamen quod post decessum predicte Margerie predictum stallum et predicti duo solidi annualis redditus solute et quiete reuertentur predictis Nicholao de Irstede et Beatrici et heredibus eorum sine contradiccione vel retenemento alicuius. Et dictus Hamo inde fecit predictis Galfrido et Margerie quoddam scriptum quod recognitum

¹ This enrolment gives an interesting picture of the working of the "Warranty" clause, and of the care taken to do justice between parties by the substitution of lands, &c. of equal value. Mutual agreement sanctioned by the Court is very frequent.

et indorsatum et irrotulatum est per manum Johannis de Ely clerici die Jouis in vigilia sanctorum Simonis et Jude anno regni regis Edwardi decimo septimo finiente.

CXV.—An outgoing owner of a messuage pays to the Bailiffs 1 penny called Hutupenny in sign and testimony of going out of his right, and the incoming owner pays another penny called Inpenny in sign and testimony of entering into the said messuage as his right, according to the law and custom of the City of Norwich.¹

[On Tuesday the vigil of St. Thomas, 18 Edward (20 Dec. 1289) Edmund de Cokefield Rector of the church of Briston grants a messuage in the parish of St. Saviour to William son of Godfrey de Norwich, tanner.] . . . Et ad istius rei maiorem euidentiam idem Edmundus dedit Balliuis Norwici unum denarium qui vocatur Hutupenny in signum et testimonium exeundi de jure suo. Et dictus Willelmus in signum et testimonium ingrediendi in predictum mesuagium cum pertinenciis ut jus suum dedit eisdem Balliuis alium denarium qui vocatur Inpenny secundum legem et consuetudinem Ciuitatis Norwici. Et inde tradidit &c.

CXVI.—A tenant attorns himself to a new owner by payment of 1 penny in the name of seisin of the rent due from his tenement.

[Wednesday before the feast of the Epiphany (4 Jan. 1290) Ralph Auenel of Gunethorp grants to Thomas his son 1 mark of annual rent out of a messuage in St. Peter de Manecroft held by Hugo de Castre burgess of Norwich.] . . . Et super hoc venit predictus Hugo de Castre et dat predicto Thome unum denarium nomine seisine predicti annui redditus.²

CXVII.—John de Witton having recovered some arrears and rents against William Galiz by default of William before the King's Justices at Westminster, and a mutual agreement having been made through the intervention of common friends, John and his wife claim that their deed of agreement should be endorsed according to the custom of the City &c. (5 January 1290.)

Mem. quod cum Johannes de Witton breue domini Regis detulisset ad capiendum in manum domini Regis unum mesuagium cum pertinenciis in Norwico, quod Willelmus Galiz tenet, per defaltam ipsius Willelmi coram Justiciariis domini Regis apud

¹ See *ante*, No. XCVIII.

² See chapter 32 of the Custumal.

Westmonasterium, tandem communibus amicis interuenientibus¹ concordatum fuit in hunc modum. [John acquits William of all arrears and debts to the day of the deed on payment of 6s. in silver. In return William Galiz and Cecillia his wife grant to John de Witton and Alice his wife 3s. annual rent out of their capital messuage in St. George before the Gate of the Holy Trinity.] . . . Et pro ista concordia remissione et quieta clamea [sic] predictis Willelmo Galiz et Cecillie uxori eius recognoscunt quandam cartam sigillis suis sigillatam et eam indorsari petunt secundum consuetudinem Ciuitatis Norwici &c.

CXVIII.—Roger de Tudenham in full Court delivers to the Community of Norwich the underwritten treasure, to wit, a Deed of William Mouton concerning the sustentation of Fibrigge, and an obligatory Writing of John de Morle concerning 10 shillings payable yearly, and part of a certain Fine between the Prior of Norwich and the Citizens of Norwich concerning Common of Pasture in Eton and Lakenham, and a Charter of Confirmation of King Henry the grandfather, and 2 Charters of Confirmation of King Richard, and 2 Charters of King John, and one Writing of Acquittance from the Priory of 3000 marks, and 6 Charters of the late King Henry, and one Commission of Edward now King concerning the said City, and 2 Charters of Edward now King, and a 3rd Charter which is called Portehors remains in the possession of Thomas de Framingham who is Attorney of the Community for challenging its liberty. And on the same day he delivered to the Community the seal of its Community. And all these aforewritten were by assent of the Community delivered to James Nade, William But, Robert de Holveston and John de Eton. (9 March 1290.)

Mem. quod Rogerus de Tudenham in plena Curia Norwici die Jouis proxima ante festum sancti Gregorii anno regni Regis Edwardi decimo octauo liberauit Communitati Norwici thesaurarii subscriptum uidelicet unam Cartam Willelmi de Mouton Tabernarii de sustentacione pontis de Fibrigge.² Et unum scriptum obligatorium Johannis de Morle de decem solidis annuis. Et pars [sic] cuiusdam finis inter Priorem de Norwico et Ciues de Communa pasture de Eton et de Lakenham.³ Et unam Cartam de confirmacione Regis

¹ See No. CXI.

² There are copies in the *City Domesday Book*, fol. lxxvii., and in *Lib. Alb. Norw.*, 4 dors. It is given below, No. CCII.

³ The Composition made in 6 John. *Lib. Alb. Norw.*, 12 dors.

Henrici Aui.¹ Et duas² Cartas de confirmacione Regis Ricardi. Et duas Cartas Regis Johannis. Et unum scriptum adquietancie de Prioratu de tribus mille marcis.³ Et sex Cartas Regis Henrici ultimi. Et unam commissionem⁴ Regis Edwardi nunc de Ciuitate predicta. Et duas Cartas Regis Edwardi nunc. Et tertia Carta que vocatur Portehors⁵ remanet penes Thoma de Framingham qui est Attornatus Communitatis pro libertate sua calumpnianda. Et eodem die liberauit Communitati sigillum suum sue Communitatis. Et omnia ista prescripta de assensu Communitatis liberata sunt Jacobo Nade Willelmo But Roberto de Holveston et Johanni de Eton.⁶

CXIX.—The City Court presided over by a Warden during a temporary forfeiture of the liberties.

Mem. quod Willelmus filius Nicholai le Clerk de Torp et Matilda uxor eius venerunt in plena Curia Norwici die lune in festo Apostolorum Philippi et Jacobi anno regni regis E. decimo octauo coram Ricardo de Belhus custode⁷ Ciuitatis Norwici et recogouerunt &c. (1 May 1290.)

¹ Henry II., who was grandfather of Henry III. The expression is taken from the Charter of 13 H. III., No. VI.

² That is, one Charter with a duplicate. So with the other Royal Charters here mentioned.

³ The penalty inflicted on the citizens for damage done to the Priory in 1272. See Introduction III., 6.

⁴ Probably the Restitution of the Liberties on 27th May, 1285.

⁵ This word evidently describes a 3rd copy of the Charter of 13 E. I., which being the last confirmation of the City liberties was at the time the basis of their privileges. This copy was used for claiming them at Westminster or elsewhere. The people of Yarmouth also had a charter called by the same name and used for the same purpose (Swinden, *Great Yarmouth*, p. 663). The name is explained by Swinden as "carried about on a horse;" by Harrod (*Norf. Archaeology*, iv. 140), as meaning a "portiforium" or breviary on which an oath might be taken; by Skeat (*Etym. Dict. s.v. "Portesse"*), as "that which one carries abroad, an Old French equivalent of portiforium." The charter so called was certainly carried about. There is, however, a remarkable variation of the title given by Swinden, p. 665: "Carta que vocatur *Portehors placitet nec placitetur* tradita fuit Waltero Abbe ad calumpniandum libertatem, &c." This is plainly a reference to the important clause "Concessimus quod nullus eorum placitet extra civitatem (burgum)." Can it be that Portehors was a popular version of "extra portum" outside the town? The document would be chiefly used for claiming cases out of the King's courts into the city court on the strength of that clause. See post No. CCXLI.

⁶ These were not the four sitting Bailiffs, but four specially appointed citizens.

⁷ The Liberties had been seized on 21st April for non-payment of dues. Blomefield III. 64. Madox *Firma Burgi* 161.

CXX.—Plea held in the City Court by King's Writ of Right. Mention of a Roll of such pleas now lost. (1 May 1290.)

[Robert de Donewic quitclaims to Robert son of Peter de Fulbourne all right in 2 messuages and 4s. 3d. annual rent] de quibus placitum fuit in plena Curia Norwici per breue domini Regis de recto ut patet in rotulo breuium de Recto placitatorum.

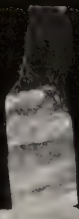
(5 May 1290) [Robert son of Robert de Fulborne acknowledges himself bound to the Prior and Convent of Norwich "ad opus firmarii" in 3 shillings rent out of a messuage in St. Augustine's which he holds] quod quidem mesuagium predictus Robertus recuperavit versus Robertum de Donewico per breue domini Regis de Recto in Curia Norwici.

CXXI.—Indenture of Apprenticeship between John son of Gerard le Specer and Hubert son of William de Tibenham of Yarmouth. Hubert is to remain in the service of John for 6 full years and be his apprentice. He shall obey his orders, keep his secrets, guard his goods, warn him of impending damage, &c. If Hubert transgresses these rules he and his pledges shall make satisfaction according to the judgment of merchants and other trustworthy men. If John dies during the term of office the contract shall hold good with a successor assigned in his will. John shall teach Hubert his business [of a spicer] in buying, selling and all other things and provide him with suitable food and clothing. If Hubert dies during the term or cannot stay with John by reason of harsh treatment, John shall pay Hubert or his pledges every remaining year of the term half a mark of silver. Hubert gives John 40 shillings in hand. Two pledges are named on each side. The parties and the pledges set their seals to the 2 parts of a cyrograph or indenture. (June 1291.)

Mem. quod hec est conuencio facta inter Johannem filium Gerardi le Specer de Norwyco ex parte una et Hubertum filium Willelmi de Tibenham de Gernemutha ex parte altera videlicet quod predictus Hubertus stabit in seruicio predicti Johannis continue a festo Pentecoste anno regni regis Edwardi filii Henrici regis decimo nono [10 June 1291] usque ad terminum sex annorum proxime subsequentium plenarie completorum, eidem Johanni in omnibus prout decet humiliter fideliter competenter pro posse suo interim deseruiendo. Et predictus Hubertus erit apprenticius dicti Johannis per totum dictum tempus. Et precepta eius diligenter faciet per totum et secreta sua que fuerint concelanda firmiter concelabit et a seruicio dicti Johannis in terminum nullo

modo recedet nisi ab ipso Johanne prius jure et ratione fuerit licenciatus. Et non licebit dicto Johanni infra dictum terminum dictum Hubertum amouere de seruicio suo nisi ex rationabili et probabili causa. Et predictus Hubertus per totum dictum tempus fideliter et honorifice custodiet et approbabit bona et catalla Johannis in cunctis locis quando ipsi Huberto fuerint commendata et inde fideliter dicto Johanni respondebit. Et illa bona nullis dabit nec accommodabit sine licencia et speciali mandato domini sui. Et predictus Hubertus infra dictum tempus nullo modo dampnum dicto Johanni faciet falso et maliciose ad valenciam vj denariorum vel amplius neque dampnum aut pudorem dicto Johanni in terminum in aliquo videbit imminere quin illud impediat pro posse suo vel ipsum Johannem inde premuniat nec aliquam contencionem infra dictum terminum facere aut mouere inter vicinos et mercatores ex quo dictus Johannes aliquo modo poterit agrauari. Et si dictus Hubertus in aliquo contra premissa euenerit ipse Hubertus et eius fideiussores subscripti secundum considerationem mercatorum et aliorum virorum fide dignorum inde dicto Johanni respondebunt et satisficient competenter. Et si dictus Johannes decesserit infra dictum tempus dictus Hubertus seruiet assignato idoneo dicti Johannis cuicumque ipsum legauerit qui sit eiusdem officii usque in finem dicti termini plenarie in omnibus sicuti dicto Johanni fecerit si superstes fuisset. Et dictus Johannes per totum dictum tempus docebit dictum Hubertum officium suum quo utitur emendi vendendi et omnia alia faciendi que ad illud officium suum pertinent diligenter competenter pro posse suo secundum ipsius Huberti ingenii capacitatem. Et idem Johannes vel eius assignatus per totum dictum tempus inueniet dicto Huberto cibos et potum vestimenta linea et calciamenta et unam supertunicam vel tunicam singulis annis infra iiij ultimos annos dicti termini prout decet talem erudientem habere. Et si predictus Hubertus quocunque anno dicti termini moriatur vel si predictus Hubertus cum dicto Johanne nullo modo stare poterit propter duritiam vel asperitatem ipsius Johannis vel eius assignati tunc dictus Johannes vel eius assignatus restituet dicto Huberto vel eius fideiussoribus quolibet anno qui retro fuerit dicti termini dimidiam marcam argenti. Pro qua quidem erudicione et pro predicta sustentacione dicto Huberto per predictum tempus inuenienda dictus Hubertus dedit dicto Johanni xl solidos sterlingorum pre manibus ad omnia premissa ex utraque parte obseruanda. Predictus Johannes et Hubertus inuenerunt





Handwritten text, likely a letter or document, written in a cursive script. The text is written on a piece of paper that has been torn at the bottom edge, creating a jagged, irregular line. The paper is mounted on a dark background.



The first of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which has been a great benefit to the public. The second is the fact that the Association has been successful in securing the passage of the Federal Pure Food and Drug Act, which has been a great benefit to the public. The third is the fact that the Association has been successful in securing the passage of the Federal Food and Drug Act, which has been a great benefit to the public.

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The two Parts of a Chirograph or Indenture.

The first part of an Indenture is the one which is signed by the parties to the contract. The second part is the one which is signed by the witnesses. The first part is the one which is signed by the parties to the contract. The second part is the one which is signed by the witnesses.

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The two Parts of a Chirograph or Indenture.

The two Parts of an Indenture (dated Saturday after St. Hilary, 5 Edward III., 17 January, 1332) by which although Alexander Mariot of Norwich and Sibilla his wife had enfeoffed John de Bumpsted, citizen of Norwich, of 10 shillings annual rent out of their messuage in the Cordwanery, nevertheless John covenants to release Alexander from the obligation if he pays him 10 marks by the following Christmas. This was probably a form of loan. See p. 227, n. 2.

The letters through which the indentation dividing the parchment in two parts was made, are in this case *Indentura*, not cyrographum. See p. 247, n. 1.

alternatim fideiussores. [Fideiussores] dicti Huberti sunt Adam de Saham, Rogerus de Morle. Et fideiussores dicti Johannis sunt Willelmus frater eius, Radulphus Boleman. In cuius rei testimonium huic scripto in modum Cyrographi¹ confecto sigilla partium et fideiussorum alternatim sunt appensa. Testibus Willelmo de Scothowe, Willelmo de Kyrkeby, Gilberto de Erlham, Rogero de Apeton et aliis.

CXXII.—The son and heir of a knight and his wife in full court executes a separate Deed of Ratification of a Deed of Feoffment previously executed by his father and mother. (1291.)

[Thomas de Heltheton Knight and Alice his wife having granted his messuage called Gosehilhalle in St. Etheldred and St. Sepulchre to Henry de Norwich clerk and Katerine his wife] Johannes de Heletheton filius et heres Thome de Heletheton venit in plenam Curiam Norwici et ratificauit donum et feoffamentum predicti domini Thome patris sui et Alicie uxoris eius factum Henrico le Clerk de Norwico et Katerine uxori eius prout continetur in Copia feoffamenti superius. Et inde tradidit &c.

CXXIII.—The Citizens of Norwich grant to John Buntyngh merchant leave to build a stone wall under his eaves opposite to the wall of St. Stephen's Church. For this grant John pays the Bailiffs 2 shillings and undertakes to pay 1 farthing yearly to the King's landgable.

Mem. quod Ciues Norwyci concesserunt Johanni Buntyngh mercatori quod possit construere quendam murum lapideum sub seuerundo suo ex opposito muri ecclesie sancti Stephani de Norwico in longitudine viginti octo pedum et in latitudine unius pedis et dimidii. Et pro ista concessione predictus Johannes Buntyngh dedit Balliuis Norwici videlicet Ade de Stirston, Radulpho de Newebrigge² et sociis suis ij solidos et dabit annuatim ad langabulum domini Regis unum quadrantem.

CXXIV.—Ranulph the fishmonger having set up a house on a portion of ground which had fallen to Alice Gyldenewater wife of Walter

¹ An indenture, so called because the indentation dividing the parchment into two parts was often cut through the word "*cyrographum*" (handwriting). Examples may be seen in the glass cases in the Norwich Muniment Room. The word is sometimes translated "fine," because it was often written between the double indenture and the "foot" of the fine, as in the example given by Scargill-Bird, *Guide to Public Records*, p. 122.

² These Bailiffs sat from Michaelmas 1289, to Michaelmas 1290.

de Cringelford by inheritance on the death of William de Hemenhale the cutler, a plea between the parties was moved in the Tolhouse Court. By mutual agreement William and Alice grant to Ranulph and his heirs free tenure of the house with its ground, with right to let his eaves drip on land resigned to them in court by Ranulph, who will pay them 3 pence every half year.

Mem. quod Walterus de Cringelford ciuis Norwyci et Alicia Gildenewater uxor eius venerunt in plenam Curiam Norwyci et concesserunt quoddam scriptum Ranulpho le Pessonier in hec verba. Uniuersis presentibus et futuris hoc scriptum visuris vel audituris Walterus de Cringelford Ciuis Norwyci et Alicia Gildenewater uxor eius salutem in domino. Nouerit uniuersitas vestra quod Ranulphus piscenarius Ciuis Norwyci fecerit plantare quandam porcionem cuiusdam domus sue super quandam terram que ad nos deberet descendisse nomine hereditatis predicte Alicie post decessum Willelmi de Hemenhale le Cuteler in Norwico in parochia sancti Petri de Hundegate de qua terra placitum motum fuit in Curia theolonii Norwyci inter nos predictos W. et A. petentes et predictum R. inpedientem, ad instanciam communium amicorum interueniencium nos predicti Walterus et Alicia concessimus predicto Ranulpho et heredibus suis et suis assignatis quibuscunque tenere et habere predictam domum cum fundo illius et suis pertinenciis libere pacifice et integre sicuti ibidem plantatur et sicut per parietes ibidem factos et bundas ibidem inter nos positas manifeste patet cum natura separande illius domus ex parte orientali stillantis versus terram nostram quam predictus Ranulphus in plena Curia supradicta nobis reddidit et quietam clamauit. Reddendo inde annuatim nobis tres denarios argenti ad duos terminos anni, ad Pascha tres obolos et ad festum sancti Michaelis tres obolos. Et inde tradiderunt quoddam scriptum sigillis suis sigillatum, quod quidem scriptum indorsatum et inactitatum¹ est per manum Johannis le Graunt clerici.

CXXV.—John son of Adam de Norwich grants to William de Bedingham his nephew a messuage in St Peter de Parmentergate which he had acquired of William Sessuns by King's Writ "De nouo Statuto."

Mem. quod Johannes filius Ade de Norwyco venit
et recognouit se dedisse Willelmo de
Bedyngham ad promocionem suam unum mesuagium

¹ Enacted, *i.e.* "in acta redditum," enrolled among the acts of the court.

quod acquisiuit de Willelmo Sessuns per breue domini Regis De nouo Statuto¹ in parochia sancti Petri de Parmentergate Reddendo annuatim Elemosinario sancte Trinitatis Norwici pro predicto Johanne duos solidos &c.

CXXVI.—The “Bailiffs and whole Community” of the city grant to Alan de Freston Archdeacon of Norfolk right to use freely a quay which he has constructed by the river in Upper Conesford. In the grant itself the grantors are styled “the aforesaid Bailiffs and Citizens.” (5 March 1291.)

Uniuersis presentibus et futuris hanc cartam visuris vel audituris Balliui et tota Communitas eiusdem [sic] Ciuitatis salutem in domino. Nouerit uniuersitas vestra quod cum Magister Alanus de Frestone Archidiaconus Norfolk construi et plantari fecerit quoddam Cayum ad orientale caput mesuagii sui iuxta Ripam Regalem in Norwyco in superiori Conesford quod quidem Cayum extendit se in longitudine a cayo Abbatis de Wenlingg versus aquilonem usque ad communem venellam que ducit a via regali usque ad regiam ripam versus austrum, nos predicti Balliui et Ciues² volentes commoditatem predicti Magistri Alani inuolabiliter obseruari communi assensu concessimus Magistro Alano caium supradictum Habendum et tenendum in forma in qua construitur et plantatur &c. . . . In cuius rei testimonium carte commune sigillum nostrum apposuimus die lune proxima ante festum sancti Gregorii pape anno domini m^o cc^o nonagesimo. [1291 new style.]

CXXVII.—The Executors of the testament of Ingelger le Gris sell in the name of the deceased a messuage in S^t Peter de Manecroft and a shed in the Market, both formerly belonging to him, to his widow for a sum of money which he had left to her by his testament and which she had released to them “to the use of the deceased.”

Mem. quod Petrus de Bumstede, Henricus de Brakne et Robertus Bendiste executores testamenti Ingelgeri le Gris de Norwyco defuncti venerunt in plenam Curiam Norwyci et cognouerunt se unanimi assensu nomine ipsius defuncti concessisse et vendidisse Cristiane Bendiste que fuit uxor predicti Ingelgeri et heredibus suis pro quadam summa pecunie

¹ This “New Statute” may possibly be the Statute of Mortmain. The land dealt with belonged to the Prior and Convent.

² “Cives” here is equivalent to “tota Communitas” above.

quam predicta Cristiana relaxauit predictis executoribus ad opus dicti defuncti¹ ex pecunia quam predictus Ingelgerus in testamento suo legauit predictæ Cristiane totum mesuagium in parochia sancti Petri de Manecroft Et inde tradiderunt &c.

CXXVIII.—Isabella wife of Roger le Mareschall appoints with consent of her husband an attorney to put Roger Lolle de Lodne chaplain into seisin of a messuage conveyed to him by the husband and wife conjointly. The messuage had belonged to the wife's brother. (23 Aug. 1291.)

Mem. quod Isabella uxor Rogeri le Mareschall² de Norwico cognouit se per assensum et voluntatem dicti Rogeri viri sui constituisse attornatum suum Willèlmum de Banham ad ponendum in plenariam seysinam Rogerum Lolle de Lodne capellandum mesuagii quod idem Rogerus capellanus adquisiuit de dicto Rogero viro meo et de me prout in carta feoffamenti quam inde eidem Rogero capellano fecimus expresse continetur quod quidem mesuagium quondam fuit Willelmi fratris mei in Norwico in parochia beate Marie parue. Ratum et gratum habituri quicquid predictus Willelmus in hac parte duxerit faciendum. In cuius rei testimonium literas nostras fieri fecimus patentes cum collacione sigilli mei. Datum apud Norwicum die Jouis in vigilia sancti Bartholomei apostoli anno regni regis Edwardi xix^o. [The Deed mentioned follows on the Roll.]

CXXIX.—“The Community of Norwich and the Citizens of the said City” grant to Roger de Carleton ironmonger leave to build a stall in the Ironmonger row. In the document the grantors are styled “The Bailiffs and our fellow citizens of Norwich.”

Mem. quod Communitas Norwici et Ciues³ eiusdem Ciuitatis concesserunt suam cartam Rogero de Carleton le fferun conciuu eorundem in hec verba. Uniuersis &c. . . . Balliui et Conciues nostri de Norwyco salutem in domino sempiternam. Nouerit uniuersitas vestra [nos] communi assensu concessisse Rogero de Carleton le fferun conciuu nostro edificare quoddam stallum suum in foro Norwici in le Irynmongere rowe quod est inter stallum quod fuit Walteri filii Henrici le yrynmongere versus

¹ To have masses said for his soul.

² Farrier.

³ “Communitas” here is the whole body of citizens; “cives,” those specially acting in the name of the rest (“conciues nostri” below).

aquilonem et Iter regium versus austrum et versus occidentem. Habendum &c. Reddendo inde annuatim ad langabulum domini regis duos denarios pro omnibus secularibus demandis.

CXXX.—“The Bailiffs and the whole Community” grant to William son of Adam le Especer leave to enlarge his shed in the Market. (21 October 1292.)

Mem. quod concessum est per Balliuos et totam Communitatem Ciuitatis Norwyci die Martis proxima post festum sancti Luce Euangeliste anno vicesimo quod Willelmus filius Ade le Especer possit elargare seldam suam in foro Norwyci que est iuxta seldam [sic] Willelmi But et Johannis de Poringlond adeo large sicuti selde predictorum Johannis et Willelmi se extendunt. Pro hac concessione dabit predictus Willelmus filius Ade Balliuis Norwyci qui pro tempore fuerint unum denarium ad langabulum domini regis per annum.

CXXXI.—Various Tenants attorn themselves to a new owner and in full court put him into seisin of their rents.

[John Sket de Schotesham and Petronilla his wife having granted annual rents out of various tenements to John the clerk son of Adam Page of Norwich] Sciendum quod tenentes de predictis tenementis videlicet Willelmus de Wichingham et mater eius tenentes de tenemento quod quondam fuit Magistri Stephani de Bixton, Ricardus Priur tenens tenementum quod quondam fuit Ricardi Sweting, Robertus Canum tenens tenementum quod fuit Ricardi Luffun, Adam le Graunt tenens tenementum quod fuit Sibille que fuit uxor Willelmi le macecref¹ attornauerunt se² predicto Johanni et posuerunt predictum Johannem in plena Curia Norwyci in seisinam predicti redditus.

CXXXII.—A “Memorandum concerning the Crown.” Two prisoners with their chattels have been delivered to two sergeants of the Sheriff to be by them conveyed to the Castle. The responsibility rests with the Sheriff.

Memorandum de Corona³ anno regni regis E. xx^o. Mem. quod Robertus filius Rogeri Vicar’ de Bekles et Matilda filia Andree de Silham liberati fuerunt similiter cum omnibus catallis Ade de

¹ Butcher, *Fr.*

² See *ante*, No. CXVI.

³ A Memorandum concerning a criminal matter for which the citizens might have to answer to the King’s Justices.

Ieluerton et Galfrido le Porter seruientibus W. de Reddham vicecomitis Norfolk qui saluo ipsos ducant cum omnibus catallis cum eis captis usque in castellum Norwyci sub periculo vicecomitis &c.

CXXXIII.—John son of Hugh Bateman with consent of his father grants to John de Horsford a messuage in St^t Michael de Berstrete which he inherited on the death of Katerine his [? mother].

Mem. quod Johannes filius Hugonis Bateman de Norwycio assensu et voluntate ipsius Hugonis patris sui venit et concessit Johanni de Horsford mesuagium suum quod sibi descendebat nomine hereditatis per mortem Caterine [? matris] sue in parochia sancti Michaelis de Berstrete &c. . . . Et inde tradidit &c.

CXXXIV.—The grantors of a messuage charged with certain services refuse to warrant because the mention of the services had been omitted in the Deed of Feoffment. The Court grants that the omitted clause may be added and “enacted in the Roll of Memoranda.”

[Richard Plukling of Norwich butcher (carnifex) and Margaret his wife grant to John Stannard of Norwich and John Caley of Secheford chaplains a messuage in the parish of St^t Sepulchre, with the clauses “To have &c.” “Rendering &c.” and that “Richard and Margaret will warrant &c. for ever”] predicti Ricardus et Margareta noluerunt warrantizare predictis Johanni et Johanni capellanis quousque predicta clausula Reddendo inde annuatim seruicia debita vidz. Willelmo le Mercer et Johanni Cusyn tres solidos per annum aposita fuerit et inactitata in rotulo isto memorandorum quia predicta clausula non continebatur in carta sua feoffamenti quam predictus Ricardus et Margareta uxor eius fecerunt predictis Johanni et Johanni capellanis que quidem clausula concessum fuit hinc inde inactitaretur. Et postea tradiderunt cartam suam &c.

CXXXV.—Robert de Postwyk lorimer grants to Hugo de Causton clerk and Matilda his wife the half of a messuage in St^t Peter de Manecroft which he had acquired of Hawisia daughter and one of the heirs of Simon Bird who had inherited it on the death of her father.

Mem. quod Robertus de Postwyk lorimer venit et cognouit se concessisse Hugoni de Causton clerico et Matilde uxori eius medietatem mesuagii quod quondam fuit Simonis Brid in vico de Seleria quam

quidem medietatem dicti mesuagii predictus Robertus quondam adquisiuit in feodum de Hauwysia filia et una heredum dicti Simonis Brid et que scilicet ipsam Hawisiam contingebat nomine hereditatis per mortem predicti Simonis patris eius &c.

CXXXVI.—The executors of Hubert de Framingham dyer acknowledge that one of their number holds 5 of the deeds of the deceased until the condition attached to the testament is fulfilled. All the other deeds touching Mabilia daughter of the deceased they have delivered to her.

Mem. quod Henricus le Rede executor Huberti de Framingham tinctoris defuncti nomine suo et executorum suorum habet in custodia quinque cartas dicti Huberti defuncti que faciunt mencionem de Stremefines¹ et de mesuagio quod idem Hubertus habuit super aquam in parochia sancti Laurencii quousque condicio in testamento dicti Huberti contenta et aposita adimpleatur. Et dicti executores omnes alias Cartas Mabiliam filiam dicti defuncti contingentes eidem Mabilie liberauerunt.²

CXXXVII.—A plea moved in the Court of Norwich by a King's Writ of Right.

[Henry Cole and Alice his wife release to Matilda de Harpele and William her son all right in a messuage in Norwich] de quo quidem mesuagio motum fuit placitum in Curia Norwyci per breue domini regis de recto inter predictum [Henricum] et Aliciam petentes et predictos Matild' et Willelmum filium eius tenentes &c.

CXXXVIII.—A youth of 16 years of age, as testified by his neighbours, executes a grant of a plot of land.

Mem. quod Rogerus filius Willelmi le Rus de Bokenham qui est etatis sexdecim annorum³ ut testatur per vicinos suos venit . . . et recognouit se concessisse Willelmo filio Thome de Dileburgh mercatori, cui Norwici, et Beatrici uxori eius unam placeam terre cum edificiis in parochia sancti Gregorii &c.

¹ Perhaps agreements about using the stream for dyeing.

² The Executors wished to protect themselves against a demand to deliver the deeds by a King's Writ (Customal, Chapter 21).

³ This appears to have been the age of maturity in Norwich. It is so stated of a girl in an enrolled deed of 3 E. II., "Johanna filia Johannis Bolitute quondam ciuis Norwici tunc plene etatis secundum consuetudinem Ciuitatis Norwici scilicet 16 annorum et amplius venit in plena curia et recognouit quod concessit &c."

CXXXIX.—A house seized into the King's hands by the King's Escheator.

Mem. quod Willelmus de Fransham Escaetor domini regis dimisit quandam domum Rogero de Melton a festo sancti Michaelis anno vicesimo secundo dum dicta domus sit in manum domini Regis soluendo eidem annuatim xij*l.* ad Pascha.

CXL.—Mention of the "suburb" of Norwich outside Conesford Gates.

[Margery widow of Ralph de Bekeles grants to Sir Edward Charels Knight] decem summas bone calcis¹ combuste de bona mensura annualis redditus percipiendi annuatim ad Pascha de quadam terra sua cum torallo² ad calcem comburendam in suburbio Norwyci extra portas de Conesford &c.

CXLI.—Henry son of Henry le Cunte of Norwich, formerly butler of King Henry [III.] grants a rent in Pottergate which he had by gift of the King to Thomas de Erlham, who himself endorses the deed as Common Clerk of the City.

Mem. quod Henricus filius Henrici le Cunte de Norwyco qui quondam fuit pinscerna³ domini regis Henrici venit et recognouit se remisisse Thome de Erlham clerico Ciui Norwici duos solidos annualis redditus quos predictus Henricus le Cunte pater suus habuit nuper ex dono predicti domini regis Henrici de quadam placea terre in parochia sancti Egidii in vico de Pottergate que quidem carta indorsata est per manum Thome de Erlham clerici.

CXLII.—Walter Ubbing of Aylesham and Matilda his wife quitclaim 2 messuages in Nedham to William de Causton which fell to William by inheritance, after the decease of Hugo de Wymondham, by the death of Cristiana his sister who had been Hugo's wife.

Mem. quod Walterus Ubbing de Aylesham et Matill' uxor sua recognouerunt se unanimi assensu concessisse dedisse et omnino quietam clamasse Willelmo de Causton

¹ Ten loads of burnt lime.

² A kiln.

³ Butler, an officer of the King's Household. This man may have held the office of "pinscerna Regis" locally for the collection of the King's prisage on wines. The Chamberlains of London so held it about this time (*Lib. Cust. Lond.*, 239, 243). So did those of Sandwich (*Hall, Hist. of Customs Revenue*, II., 93, 96).

lindrapero Ciui Norwyci illa duo mesuagia que accidebant eidem Waltero nomine hereditatis post decessum Hugonis de Wymondham alutarii per mortem Cristiane sororis sue que fuit uxor predicti Hugonis in vico de Nedham &c.

CXLIII.—Geoffrey de Kerseye mason and Alice de Ingeworth his wife grant a messuage in St Olave to Adam de Saham citizen of Norwich. Geoffrey being in London grants power to John de Morlee to act as his attorney. In this document executed in London the Norwich Court is spoken of as the “husting” of Norwich. In the Deed of Feoffment which follows, executed at Norwich, it is, as usual, called the Court of Norwich.

Notum sit uniuersis per presentes quod nos Galfridus de Kerseye Cimentarius et Alicia de Ingeworth uxor mea attornatum in loco nostro constituimus dilectum et fidelem nostrum Johannem de Morlee ad liberandum Ade de Saham ciui de Norwico plenariam seysinam suam de uno mesuagio in Norwico in parochia sancti Olaui et ipsum nomine nostro in eodem mesuagio ponendum et recognicionem quam inde coram Thoma de Hekyngham Balliuo Ciuitatis predictae fecimus fideliter testificandum in hustengo¹ eiusdem Ciuitatis quod quidem mesuagium idem Adam habet ex dono nostro prout carta feoffamenti sui quam de nobis inde habet plenius testatur. Ratum et stabile habituri In cuius rei testimonium has literas nostras eidem Johanni fecimus patentes. Data apud London die sancti Edwardi regis et martiris anno vicesimo tercio. (18 March 1295.)

[Here follows the deed of feoffment dated Friday after the feast of St. Lucy the Virgin (16 Dec. 1295) in which the court is styled “Curia Norwici.”]

CXLIV.—The Executor of the testament of Thomas de Bynre late citizen of Norwich in the name of the deceased sells to Geoffrey atte hill de Fundenhale a messuage in St Peter de Manecroft devised by Thomas to be sold after the death of Margery his wife. By a separate deed the messuage is quitclaimed by Katherine Margery’s daughter and by Isabella and Johanna daughters of Thomas and Margery.

Mem. quod Stephanus de Bynre capellanus executor testamenti Thome de Bynre quondam Ciuis Norwici nomine

¹ The name of the London Court in which enrolments such as these were made. See Introduction XI., 1.

ipsius defuncti recognouit se vendidisse
 Galfrido atte hill de Fundenhale mercatori ciui Norwici
 illud mesuagium quod fuit predicti Thome et quod idem Thomas
 in testamento suo legauit ad vendendum post decessum Margarie
 que fuit uxor eius in parochia sancti Petri de Manecroft
 &c.

Mem. quod Katerina filia Margarie que fuit uxor Thome de
 Bynetre et Isabella et Johanna filie predictorum Thome
 et Margarie recognouerunt se unanimi assensu
 quietum clamasse Galfrido de Fundenhale [the messuage acquired by
 him as in the previous deed.]

CXLV.—An Obligatory Writing by Reginald son of John Herman of
 Norwich respecting 4 shillings annual rent out of a house in Coselanye
 recovered against him by Raymund Prior of the Church of St^e Faith of
 Horsham and the Convent. Raymund had obtained a Writ of Novel
 Disseisin against Reginald. The matter was settled by intervention of
 common friends.

Mem. quod istum scriptum recognitum fuit in plena Curia
 Norwici Uniuersis Christi fidelibus Reginaldus
 filius Johannis Herman de Sproxton salutem Nouerit
 uniuersitas vestra quod cum inter fratrem Raymund' Priorem
 Ecclesie sancte Fidis de Horsham et eiusdem loci Conuentum ex
 parte una et me ex parte altera orta fuit controuersia occasione
 quatuor solidorum annui redditus quos dicti Prior et Conuentus
 clamauerunt percepisse annuatim de quodam tenemento quod ego
 nunc teneo in vico de Coselanye in parochia sancti Martini
 unde predicti Prior et Conuentus tulerunt breue noue disseisine
 versus me Tandem communibus amicis interuenientibus¹ dicta
 controuersia conquieuit in hunc modum videlicet &c. [Reginald
 acknowledges his obligation to pay the 4 shillings.]

CXLVI.—The testament of Alan de Freston late Archdeacon of
 Norfolk proved in full court, by which he leaves to Edmund de Mikelfeld
 his kinsman all his messuage in the street of Conesford. (14 Aug. 1296.)

Mem. quod die Martis in vigilia Assumpcionis beate Marie
 virginis anno vicesimo quarto probatum fuit testamentum domini
 Alani de Freston Archidiaconi quondam Norfolk in plena Curia
 Norwyci per Gregorium de London et Johannem le messenger de

¹ No. CXI.

Walcote in quo quidem testamento continetur quod dictus Alanus legauit Edmundo de Mikelfeld cognato suo . . . totum mesuagium suum in Ciuitate Norwici in vico de Conesford integre sicut iacet inter mesuagium Abbatis et Conuentus de Wenling ex parte aquilonali et venellam que ducit versus magnam ripam ex parte australi. Habendum et tenendum . . . de capitalibus dominis feodi per seruicia inde debita et consueta.

CXLVII.—Robert Chese of Salisbury son of John son of John Chese of Norwich grants to Peter de Bumstede and Katerine his wife all his messuage, annual rents and tenements which Margaret Chese his grandmother holds for dower of his inheritance and which she has fully rendered to Peter and Katerine. Mention is made of the "suburb" outside Westwick Gates in the parish of Stⁱ Benedict in Heigham Street. (6 June 1297.)

Mem. quod Robertus Chese de Saresber' filius Johannis filii Johannis Chese de Norwico recognouit se in plena Curia Norwici die Jouis proxima post diem Pentecostes anno xxv^{to} concessisse et dedisse Petro de Bumstede mercatori Ciui Norwici et Katerine uxori eius . . . totum illud mesuagium, redditus et omnia alia tenementa . . . que Margeria Chese auia sua que fuit uxor predicti Johannis Chese de Norwico tenet in dotem suam de hereditate sua et plene eisdem reddidit infra Ciuitatem Norwici et in suburbio quod quidem mesuagium . . . est in suburbio Norwici extra portas de Westwik in parochia sancti Benedicti &c.

CXLVIII.—The executors of the testament of John de Eton late citizen of Norwich in the name of the deceased sell to Paul Benedicite citizen of Norwich his whole capital messuage in Nedham Street for 40 marks of silver, to the use of the deceased to fulfil his will as he appointed it in his testament.

Mem. quod Rogerus Benediscite, Alanus de Hedersete et Willelmus Bele ciues Norwici executores testamenti Johannis de Eton quondam ciuis Norwici defuncti unanimi assensu nomine ipsius defuncti . . . vendiderunt . . . Paulo Benediscite ciui Norwici' . . . pro quadraginta marcis argenti . . . ad opus dicti defuncti ad complendam inde voluntatem ipsius defuncti prout idem defunctus in testamento suo constituit totum capitale mesuagium . . . in vico de Nedham &c.

CXLIX.—William Virley and Alice his wife acknowledge to Katerine Prioress of Carrow and her house 4 shillings annual rent out of a house

in the street of Over Conesford. Katerine had brought before the King's Justices of the Bench a Writ of Per biennium cessavit. By intervention of common friends an agreement was made.

Mem. quod concordia facta fuit et irrotulata in plena Curia Norwici inter Katerinam Priorissam de Carehowe querentem ex una parte et Willelmum Virly et Aliciam uxorem eius ex altera parte defendentes Quod cum predicta Priorissa tulisset breue coram Justiciariis domini regis de banco super predictos Willelmum Virle et Aliciam uxorem eius et petuisset ab eis unum mesuagium in Norwico ut ius eiusdem Priorisse et domus sue predictae eo quod cessauerunt per biennium¹ soluisse domui de Carehowe sex solidos per annum pro predicto mesuagio . . . in vico de Ouer Conesford Amicis interuenientibus concordati sunt sub hac forma &c. [The Prioress releases 2s. out of the 6s. and William Virly and his wife acknowledge in full court their obligation to pay the remaining 4s.]

CL.—Mention is made of the Common Clerk being absent, presenting his account at the Exchequer.

[Robert de Bergh and Margery his wife grant to William de Colton a messuage in St. Giles in the street of Upper Newport, on Wednesday after the feast of St. Mark the Evangelist 26 E.I., (30 April 1298) and deliver their deed &c.] Que quidem carta indorsata est per manus Radulphi de Lenn clerici, Thoma de Erlham super compotum suum apud scaccarium² existente.

CLI.—Robert de Gotherston and Cecilia his wife grant to Master Eustace de Kymberle clerk a certain messuage adjoining the churchyard of St. Botolph in Norwich, which is glebe of the church, together with the advowson of the said church.

Mem. quod Robertus de Gotherston et Cecilia uxor sua unanimi assensu concesserunt et dederunt Magistro Eustachio de Kymberle clerico quoddam mesuagium adiacens cimiterio sancti Botulphi in Norwico ex parte occidentali et est gleba dicte ecclesie cum omnibus pertinenciis suis una cum aduocacione eiusdem ecclesie sancti Botulphi &c.

¹ "Per breennium cessavit," he has ceased for two years, was the name of a Writ for recovering arrears of rent.

² By charter of Richard I., the citizens had the right to pay their dues at the Exchequer themselves and not through the Sheriff of Norfolk. The absence of the Common Clerk on this business is also recorded on 1st May and 9th May.

CLII.—Agreement to keep Fye Bridge in repair. (1 Aug. 1283.)
(From *Norwich Liber Albus*, fol. 4d.)

The "Community of the Citizens of Norwich" appoint Walter de Monton taverner collector of various rents belonging to Fibridge, and a shop in the Cook row, and all legacies and chance sums left or falling for the sustentation of the bridge, on condition that he maintains the said bridge so that all passengers may have free and convenient passage. Walter may construct at his will sheds on the bridge and the causeway belonging to it, and a common watering place there and take all the profits. The Deed is witnessed by the 4 Bailiffs, the Clerk, 24 citizens specially named and others.

Universis Christi fidelibus Presentibus et futuris hanc cartam visuris vel audituris Balliui et communitas ciuium Norwici Salutem in domino sempiternam Nouerit Universitas vestra nos communi assensu assignasse et loco nostro attornasse Walterum de Moutone tabernarium conciuem nostrum ad colligendos annuales redditus nostros spectantes ad pontem de fibrigge in ciuitate predicta et videlicet de illa schoppa quam Bartholomeus de Acre tenet supra pontem predictum ad caput australe eiusdem pontis quicumque illam schoppam tenuerit duodecim denarios. De Mesuagio Willelmi Price in parochia sancte Marie combuste quicumque illud Mesuagium tenuerit quatuor denarios Et de Mesuagio quod Reginaldus Wynter tenet in parochia sancti Salvatoris in Fibriggate quicumque illud Mesuagium tenuerit octo denarios. Concessimus eciam eidem Waltero unam schoppam nostram in cueria que est inter feodum domus sancte Trinitatis de Norwico versus austrum et feodum Nicholai de Castello versus aquilonem dimittendam ad firmam nomine nostro cuicumque voluerit et omnimoda explicita ex illa schoppa annuatim proveniencia percipiendum ad commodum et sustentacionem dicti pontis cum necesse fuerit apponenda. Ita quod ipse Walterus dictam schoppam nostram sustineat competenter. Volumus eciam et concedimus quod predictus Walterus percipiat omnimoda legata et alia quecumque fortuna ad sustentacionem dicti pontis quoquo modo concessa et accidencia. Ita quod ipse Walterus competenter et honorifice sustineat dictum pontem in omnibus neccessariis tam infra aquam quam extra ut omnes et singuli ibidem transeuntes more solito vel meliori in omnibus negociis eorum valeant pertransire. Preterea concessimus bona fide predicto Waltero construere soldas pro voluntate sua supra dictum pontem et caloram¹ ad eundem pontem pertinentem que est versus

¹ Causeway (?).

aquilonem et eciam ultra communem adaquacionem ibidem quatinus eas legitime construere possit omni gravamine alicuius pretermisso. De quibus soldis cum constructe fuerint liceat dicto Waltero percipere omnimoda proficua et explicita et inde facere pro voluntate sua ad sustentacionem dicti pontis et ad usus suos proprios sine contradiccione alicuius quamdiu dictum pontem sustentauerit competenter. Omnia premissa in omnibus et per omnia prout supradictum est concessimus predicto Waltero et heredibus suis et suis assignatis perpetuo possidenda sine contradiccione nostri vel successorum nostrorum quiete et pacifice quamdiu ipse Walterus vel eius heredes aut assignati pontem prenominatum honorifice et competenter sustentauerint modo supradicto. In cuius rei testimonium et securitatem in omnibus prout predictum est presenti scripto commune sigillum nostrum apposuimus. Hiis testibus Rogero de Tudenham, Willelmo de Refham, Waltero Knot, Bartholomeo de Acre tunc balliuis Norwici. Ade clerico, Paulo de Pagrave, Jacobo Nade, Rogero de Wyleby, Rogero de Morlee, Johanne Bate, Rogero de Penteneye, Thoma de Lincoln, Willelmo Albon, Johanne de Poringlonde, Galfrido de Bungeye, Willelmo de Burwode, Willelmo de Rollesby, Willelmo Pikot, Willelmo But, Vincentio de Kirkebi, Johanne de Wroxham, Willelmo de Depe, Willelmo de Welles, Nicholao Champanie, Nicholao de la Bothe, Odone Mercatore, Roberto de Donewico, Galfrido le mercer, Johanne clerico¹ et aliis. Datum ad festum sancti Petri ad vincula Anno domini Millesimo CC^o lxxx^o tercio, et regni Regis Edwardi filii regis Henrici undecimo.

CLIII.—Appointment of an Alderman of the Hanse, 1295.
(Translated from *City Domesday Book*, fol. lxxxviid.)

To all the faithful of Christ who shall see or hear this present writing the Bailiffs and Citizens of Norwich greeting. Whereas long ago [non nuper] by favour of certain Kings of England ancestors of our famous [incliti] King Edward by the grace of God King of England very many liberties and customs were granted to our ancestors and ourselves and confirmed to us by their charters which the said famous Edward our King by the grace of God King of England has by his favour inspected and by the same favour has granted and by his charter confirmed to us and our heirs the said liberties and customs, amongst which it is contained

¹ On the question whether these 24 named witnesses were a select body of citizens see Introduction III., 6.

and for long time has been used that the citizens of Norwich might choose one of themselves as Alderman of their hanse¹ [Aldermannum hansie sue] to execute that office in the fairs [nundinis] of St. Botolph [Beston], Lenn and Jernemuth [Yarmouth] and other divers fairs and markets in divers places established, and Simon called Palmer [dictus Palmerus] our fellow-citizen has formerly executed that office in our name whom on account of infirmity [impotentiam] we have amoved from that office and have made our beloved fellow-citizen Adam de Toftes Alderman of the said hanse and appointed him in our place We beseech you that when the said Adam or his attorney shall come into your parts to execute his said office you will be pleased to receive him favourably. In witness of which thing we have set our common seal to this present writing. Given at Norwich at the feast of the Nativity of St. John Baptist in the 13th year of the reign of King Edward son of Henry. [29 June 1295.]

THE CITY ASSEMBLY.

Election of Officers, 1344 to 1347.²

CLIV.—Anno xvij^o finiente et xix^o Regis Edwardi tercii. Nomina Balliuorum Ciuitatis Norwici, Willelmus But Rogerus Verly Willelmus de Blakene Robertus de Poleye³ tempore quorum iste papirus primo prouidebatur et emptus per Ricardum Spynk Ciuem Ciuitatis Norwici in quo constituitur quod memoranda dicte Ciuitatis ponantur, et tempore eorum feodum castri de tenentibus concessum est Communitati per cartam Regis in perpetuum habendum.

Nomina Camerariorum eiusdem Ciuitatis eodem anno; Johannes Emelot, Johannes de Causton.

Nomina Custodum clavorum⁴; Johannes de Beghton Willelmus de Multon Robertus de Wroxham Willelmus de Linchham.

Nomina xxiiij^{or} eodem anno electorum et ordinatum per totam Communitatem in presencia quorum seu maioris partis eorum si omnes interesse non possunt negocia Ciuitatis Communitatem tangencia in actis deducerentur; Conesford Johannes de Hakeford Adam Midday Jacobus de Blicling Galfridus Botelere Nicholaus Stotere Johannes de Causton.

¹ This expression will be considered in Vol. II. See also No. CLXXV.

² See Introduction IV. 3, where these four Entries are translated and explained.

³ Bailiffs from Michaelmas 1344 to Michaelmas 1345.

⁴ Sic. The word must mean keys. The officials called "clavers" were keepers of the keys of the City Chest in which the Common Seal was kept.

Manecroft Willelmus de Dunston Robertus de Bumstede (obiit eodem anno mense Septembris) Ricardus de Bytering Ricardus de Poringlond Johannes de Berford Johannes de Elingham *Wymer* Edmundus Cosyn Robertus de Bumstede junr. Simon de Blicling Reginaldus de Gurmuncestre Thomas de Cantele Johannes Fairchild. *Ultra Aquam* Johannes Treghe Adam de Mundham Johannes de Shotesham Johannes de Alemanie Hugo Godesman. (*Old Free Book*, fol. v.)

CLV.—Nomina Balliuorum electorum in Ciuitate Norwici ad festum Sancti Michaelis anno regni Regis Edwardi tercii a conquestu xix^o usque ad idem festum anno xx^o¹ Johannes de Hales Johannes But Thomas Priour Johannes de Snyterton.

Nomina xxiiij^{or} electorum de Ciuitate Norwici pro Communitate et negotia eiusdem ordinand' et custodiend' per idem tempus. De letis ut sequitur; *Conesford* Adam Midday Jacobus de Bliclyng Thomas de Morlee Willelmus Skye; *Manecroft* Rogerus Verly Willelmus de Dunston Willelmus de Blakene Johannes de Heuingham Ricardus de Bitering Ricardus de Porynglond Thomas de Marsham Johannes de Elingham Robertus de Poleye Thomas de Bumstede; *Wymer* Bartholomeus de Salle Matheus de Bliclingge Simo de Bliclingge Andreas de Bikerton Ricardus de Bumstede Robertus de Bumstede senr. Thomas de Cantele Johannes de Heuingham Tavener Adam Perer Johannes Fairchild; *Ultra Aquam* Willelmus But Adam de Mundham. [All the names are marked "Juratus."] (*O.F.B.*, fol. xii.)

CLVI.—Nomina Balliuorum Ciuitatis Norwici a festo Michaelis anno xx^o usque idem festum xxj^o.² Galfridus Miniot Ricardus de Poringlond Simo de Bliclingg Willelmus de Sturmere.

Nomina xxiiij^{or} *Conesford* Thomas de Morlee Johannes de Hakeford Jacobus de Bliclingg Adam Midday Robertus Berte Willelmus de Depedale. De nouo in defectu aliorum, Galfridus Boteler Willelmus Skye Nicholaus de Kirkeby *Manecroft* Iohannes de Elingham Rogerus Verly Ricardus de Byteringge Willelmus de Blakene Willelmus de Dunston Thomas de Bumstede. De nouo, Thomas de Marsham Johannes de Heuingham passenger³ Willelmus de Thurston Willelmus Lekman Ricardus de Biteringg. *Wymer* Thomas de Cantele Bartholomeus de Salle Edmundus Cosyn Johannes de Hales Ricardus de Bumstede Johannes de Heuingham taverner. De nouo, Willelmus de Basingham Adam Perer Robertus de Tilneye Johannes de Erpingham. *Ultra Aquam* Adam de Mundham Willelmus But Johannes But Adam Berte Johannes de Shotesham Hugo Godesman.

Nomina Camerariorum Johannes Emelot Johannes de Causton.

¹ Michaelmas 1345 to Michaelmas 1346.

² Michaelmas 1346 to Michaelmas 1347.

³ Meaning uncertain.

Nomina Custodum Clavorum, Johannes de Begheton Willelmus de Lucham Robertus de Wroxham Walterus de Multon. (*O.F.B.*, fol. xii. *d.*)

CLVII.—Nomina Balliuorum anno xxij^o,¹ Johannes de Hakeford Thomas de Bumstede Willelmus de Basingham Adam Berte.

Nomina xxiiij^{or} *Conesford* Thomas de Morlee Jacobus de Blicling Adam Midday Nicolaus de Kirkby. *Mancroft* Ricardus de Bitering Willelmus de Blakene Willelmus de Dunston Willelmus Lekman Robertus de Wroxham Thomas de Marsham Johannes de Wykes. *Wymer* Bartholomeus de Salle Edmundus Cosyn Simo de Blakene Edmundus Kenyng Ricardus de Bumstede Johannes Wrighte Walterus Gloz. *Ultra Aquam* Willelmus But Johannes But Johannes de Shotesham Adam de Smalburgh Johannes de Alemaigne Hugo Godesman Adam de Mundham.² (*O.F.B.*, fol. xii *d.*, foot.)

Extracts from Assembly Rolls, 1365-1426. (*Translated.*)

CLVIII.—Election of Bailiffs at Norwich in the 39th year of the reign of King Edward the 3rd after the Conquest on Sunday being the feast of the Exaltation of the Holy Cross. [14 Sep. 1365.]

Names of the 4 [? 24] elected viz. from each Leet.

<i>Con.</i> —William Skye ³		<i>Man.</i> —Nicholas de Blakene	
John de Erpingham	} sworn	William Asger	} sworn
Henry Skye		Peter de Bliclingge	
Roger Calf		John de Brisingham	
John Bulneys		John Pykyng	
Alexander de Derham		Reginald de Bungeye	
<i>Wym.</i> —John Page		<i>Ult. Aqu.</i> —Simon de Almayne	
Robert de Bumpsted	} sworn	Robert Spycer	} sworn
John de Olton		John de Wynterton	
Thomas Hert		Roger de Halesworth	
John Smith		Gilbert de Sechford	
Bartholomew Soneman		Peter Tut	

Bailiffs elected by the said sworn [men] for the year next ensuing.

Con.—William de Gnateshale.

Man.—Thomas de Bumpsted.

Wymer.—John de Tylneye.

Ultra Aquam.—John de Welborne del Tomlond.

Coroner, Geoffrey Sewale.

¹ Michaelmas 1347 to Michaelmas 1348.

² The rest of this entry is defaced. The names of the Chamberlains and Clavers are probably the same as before.

³ The first name in each set is written in a larger hand. On the function of these 24, see Introduction IV. 7.

CLIX.—Assembly of the Community of the City of Norwich¹ (same day).

Andrew de Hidyngham gives for his entry 20s. He pays at once [statim] 20s.

William de Ratlesden gives for his entry 40s., of which he pays at once to the Community 20s., and for the rest his pledges are John But and Peter Tut to be paid at the will of the Bailiffs, 40s.

William Bere of Hadeleye gives for his entry 1 mark, of which he pays at once to the Community one half and for the rest his pledge is William Ringeman.

James Jakes of Secheford gives 40s.; pays at once 20s. to the Community; the rest to be paid at Christmas to the Bailiffs; pledge, Gilbert de Secheford.

John de Trous chapman gives 20s.; pays 10s. at once; to pay the rest at the feast of All Saints by pledge of William de Eton.

Thomas de Kendale gives 20s.; pays 10s. at once; to pay the rest at Christmas; pledges Peter Tut, Peter de Bliclyngg.

Nicholas Hatter gives 1 mark; pays half immediately [incontinentim]; the other at All Saints; pledge John Torald.

Thomas Bert of Ashwelthorpe gives 20s.; he will pay one half at feast of St. Faith [Oct. 6]; the other at Easter next; pledge, John But.

John Disse gives 20s.; will pay one half at Christmas, the other at Easter; pledge John Latymer.

John de Hemenhale sherman gives 20s.; will pay one half to the Community at All Saints, the other at Christmas, pledge John Latymer.

Peter de Skothowe webster gives 20s.; will pay one half to the Community at Easter, the other at Pentecost by pledge of William Staloun and William de Basyngham.

William the Reeve of Dicleburgh² chandeler gives 1 mark; will pay one half to the Community at Christmas, the other at Easter by pledge of Henry de Bongeys and Thomas Baxter.

CLX.—Assembly of the Community of the City on Saturday being the Vigil of St. Matthew. [20 Sep. 1365.]

4 Citizens admitted; no other business.

CLXI.—Assembly . . . Friday after St. Matthew. [26 Sep.]

Election of Collectors for the ensuing year;

for *Conesford*, Thomas Waland, Alexander de Derham

for *Mancroft*, Richard de Bonewell, Adam de Colton

for *Wymer*, Robert Bunch, Gilbert Latoner

for *Ultra Aquam*, John de Eggefeld, Richard le Barker.

¹ Congregacio Communitatis Ciuitatis Norwici.

² Willermus the Reve de Dicleburgh.

CLXII.—In the time of William de Gnateshale and his fellows Bailiffs. Assembly . . . Thursday, the feast of St. Michael in Monte Tumba. [16 Oct.]
2 citizens admitted.

CLXIII.—Assembly on Monday, the morrow of All Souls. [3 Nov.]
Citizens elected to go against¹ Hugh Hastyng Knight on Sunday after the feast of St. Martin [16 Nov.]; Thomas de Bumpsted Simon de Bliclyngge Thomas Cole Robert de Bumpstede Nicholas de Blakene John Latymer Peter de Bliclyngg John de Stoke Bartholomew de Appilyerd Edmund de Alderford John de Welburn William de Gnateshale John de Gnateshale William Staloun.

CLXIV.—Assembly on Friday in Easter Week in the 40th year.
William de Gnateshale and John de Gnateshale were elected to go to Parliament.²

Thomas Cole for Conesford; William Bliclyngg for Mancroft; John de Welborne del Cueria for Wymer; William Staloun for Ult' Aq'. These 4 were elected to collect and receive the moneys granted and to be granted for cleaning³ the King's river.

CLXV.—More of the Assembly [Adhuc Congregacio] on Monday after the Translation of St. Thomas. [13 July, 1366.]

Citizens elected to view divers tenements for the Community viz. at the cemetery of St. Peter de Mancroft and elsewhere; Con., William Skye Thomas Cole; Manc', William Asger John de Gnateshale; Wym', Bartholomew Appilyerd Simon de Bliclyngg. Ult' Aq', Thomas Spycer William Staloun.

CLXVI.—Assembly . . . Monday the feast of St. Margaret.
[Among other admissions], Isabella de Weston gives 2 marks for her entry; will pay one mark at Michaelmas to the Community, the other to the Bailiffs at Christmas by pledge of John Latymer and Hugh Cantele.

CLXVII.—Assembly held in the Chapel of St. Mary in the Fields on Sunday after the Nativity of the Blessed Mary. [13 Sept. 1366.]

Names of the 24 citizens to elect⁴ Bailiffs for the ensuing year; for *Conesford* Thomas Cole William Skye John de Erpyngham Henry Skye Alexander de Derham John Bulneys: for *Mancroft*, William de Bliclyngg Nicholas de Blakene William Asger John de Welburn Reginald de Bungeye John de Brisingham; for *Wymer*, Robert de Bumpsted John

¹ ad eundem versus.

² Electi sunt eund' ad parlamentum.

³ Emendanda.

⁴ Ad eligendum.

Page Richard Fysch James Ive John de Olton Hugh de Cantele; for *Ultra Aquam* Simon de Alemayne John de Wynterton Robert Spycer William Gerard John de Westwyk John atte Grene.

Names of the 4 Bailiffs chosen by the above for the said year next ensuing. For *Conesford* John de Gnateshale; for *Mancroft* Peter de Bliclyngg; for *Wymer*, Bartholomew de Appelyerd; for *Ultra Aquam* Hugh de Holond.

[In 2 admissions to the freedom on this occasion the Assembly is described as "the court."]

Thomas Cole, webster gives 1 mark . . . which he pays in court.

William Wrighte gives 20s., of which he pays in Court to the Community 10s. and will pay the rest to the Bailiffs.

CLXVIII.—Assembly . . . Thursday after St. Luke. [22 Oct. 1366.]

There were elected Auditors of the Tax, of the Treasurers and of the Collectors of Rents, and a letter of the Community was granted to them for warrant; viz. Thomas Cole, William de Bliclyngg, Simon de Bliclyngg, Robert Spycer. And 2 Bailiffs were chosen for the same, Bartholomew de Appelyerd, Peter de Bliclyng. So that 1 Bailiff and 2 Auditors be always together at least. And John Gyney was elected Treasurer with William Staloun.

Also John de Gnateshale was elected to go to London for the escapes¹ if necessary.

CLXIX.—Assembly on Tuesday after the Epiphany. [12 Jan. 1367.]

At this Assembly were present² Simon de Bliclyngg John But Thomas de Bumpsted John de Welburn de Cueria Thomas Cole John Latymer William de Brok William Skye John Spycer William Asger William Gnateshale John de Stoke John Tilneye William Worsted Reginald Cobbe Henry Spynk Robert Page John de Erpyngham William Staloun John Gymer John Smeeth John Bastwyk Thomas Grong' John Palmer Richard de Catton and the 4 Bailiffs and the citizens newly received [9 persons], and the Bailiffs gave decision³ that no one person and his attorney are permitted to take anything in the market against the will of anyone.⁴

¹ Pro leschapes. Escapes of prisoners from the custody of the citizens.

² Introduction IV. 7, end.

³ Dederunt cons' Ball'; i.e. the Bailiffs gave "considerationem," their decision; or, those present gave "consilium," advice to the Bailiffs.

⁴ A citizen and another in his interest might not take the whole of an article if another citizen present desired a share. See Custumal (No. XLIX.) ch. 38.

CLXX.—Assembly on Friday after St. Ambrose, 41 E. III. [9 April 1367.]

John de Gnateshale and William Staloun were elected to supervise the cleansing of the river receiving half a mark a week for both of them.

CLXXI.—Great Assembly of the said City held at the Chapel of St. Mary . . . on Sunday after the Nativity of St. Mary to elect Bailiffs anew. [12 September 1367.]

Names of the 24 citizens sworn to elect 4 Bailiffs. . . . for *Conesford* Henry Skye William de Gnateshale William Skye John de Erpyngham John de Bliburgh Roger de Rydelyngton; for *Mancroft* Nicholas de Blakene William de Bliclyngg William Asger Thomas de Bliclyngg John Pykyng Reginald Bungeye; for *Wymer* John Smeth John de Welborn John de Olton Peter de Bixton John Brok Reginald Cobbe; for *Ultra Aquam* Thomas Glos John But John de Wynterton Roger de Halesworth Thomas de Beeston John atte Grene.

Names of the Bailiffs elected by the 24 sworn citizens: for *Conesford* John de Stoke; for *Mancroft* William de Worsted; for *Wymer* John de Corpesty; for *Ultra Aquam*, William Staloun.

CLXXII.—Assembly on Thursday after St. Matthew. [23 Sept. 1367.]

William de Appelyerd¹ gives for his entry 1 mark and pays it there immediately.

At the same Assembly it was ordered and agreed that John Chapman be common Belleman in the City for a whole year ensuing and the common bell² is delivered to him.

Also Simon Fleghe and William Harald swore in the same Assembly that they would take³ and sue their complaints neither in county⁴ nor hundred against the Prioress of Carhowe for cattle taken within the liberty⁵ near Carhowe and to this they found surety under penalty of £20. John Gerneys swore likewise and found surety under the same penalty.

CLXXIII.—Assembly on Thursday after Close of Easter 42 E. III. [20 April, 1368.]

At this Assembly it was ordered for parliament that William de Bliclyngg and John de Gnateshale should go to London to take part⁶ in the parliament of the Lord King.

¹ Afterwards the 1st Mayor.

² Campana.

³ Dimittent.

⁴ Neither in the County Court of Norfolk, nor in the hundred of Humbleyard perhaps at the Sheriff's tourn.

⁵ On the disputed question of jurisdiction in this locality, see Nos. CCLXXXIII. and CCLXXXIV.

⁶ Ad interessendum.

CLXXIV.—Great Assembly for electing Bailiffs in Chapel on Sunday after the feast of the Exaltation of Holy Cross [17 Sept. 1368.]

Names of the 24 sworn to elect ; for *Conesford* Thomas Cole John de Erpingham John Bulneys Roger Ridelington James Barker William de Sporle; for *Mancroft*, Peter de Bliclyngg Nicholas de Blakene John Gnateshale William de Bliclyngg William Asger Thomas de Bliclyngg; for *Wymer* John Page John Welborn de Tomlond Thomas Hert John de Olton John Lothale William de Drayton; for *Ultra Aquam* Simon de Almayne John Wynterton John Bastwyk Robert Spycer John atte Grene Thomas de Beeston. Names of the 4 Bailiffs elected; for *Conesford* William Skye; for *Mancroft* John de Welborn; for *Wymer* John Gyney; for *Ultra Aquam*, Reginald Cobbe.

CLXXV.—Assembly held in the Tolhouse¹ on Thursday the feast of St. Matthew [21 Sept. 1368] under the old Bailiffs.

A Tax of a double Tenth was granted containing £180.

It was discussed that the new Bailiffs should pursue the business touching the hanse at the cost of the city.²

CLXXVI.—First Assembly Thursday after St. Martin in hieme [14 Nov. 1368] under the new Bailiffs.

Six good and lawful³ citizens chosen to hear correct and settle all complaints against the old Bailiffs.

CLXXVII.—Assembly, Friday in Whitsun Week, 43 E. III. [25 May, 1369.]

John de Welborn, bailiff of the market and Thomas de Bumpsted elected to go to the parliament to be held in the Octave of Holy Trinity.

It was ordered that 2 hostages of France from the town of Chartres should be securely guarded. They swore not to escape.

CLXXVIII.—Assembly on Saturday after St. Thomas Martyr. [14 July, 1369.]

The citizens discussed a letter of the Earl of Suffolk touching the amending of the array,⁴ viz. 1 Bailiff, 2 Constables and 2 citizens from each of the 4 Leets.

¹ In tholonio.

² Balliui futuri sequerentur negocia tangencia le hans' ad costagium ciuitatis. The meaning of the "hanse," a word very rarely used in Norwich records, will be considered under the Commercial History of the City in Vol. II. See ante No. CLIII.

³ Probi and legales.

⁴ Aracionem meliorandam. On Musters and Arrays, see Introduction XIII.

**A Roll of the City Assembly. Election of the Four Bailiffs
in 1368.**

"Great Assembly of the City for electing Bailiffs anew for the year next coming held in the Chapel of the blessed Mary in the Fields on Sunday next after the feast of the Exaltation of the Holy Cross in the 42nd year of the reign of King Edward the third after the Conquest" [17 Sept., 1368].

The names of the 24 Electors and the four elected Bailiffs are given on p. 268.

A Roll of the City Assembly. Election of the Four Balliffs

in 1938.

The names of the 24 Electors and the four elected Deputies are given on p. 202.

The original document is a copy of the first of twelve meetings the recording of the same, viz: 1. *Meeting of the Committee and a report from the committee of the same.*

1. *Sp. 1* (1891).

They also discussed another letter of Edmund Rose for electing a Mayor¹ for the great piece of the seal of statute merchant, Roger Verly being dead, and John But was elected for the custody of the seal and exercising the office.

CLXXIX.—Great Assembly for electing Bailiffs Sunday after Holy Cross, 43 E. III. [16 Sep. 1369.]

Names of the 24: *Conesford* John de Toftes, Roger de Ridelington, William de Sporle, Roger Calf, Thomas Soutere, John de Methyngham; *Mancroft* John Pykyng, Robert de Bixton, Roger de West, [sic] John de Multon, Ralph Yve, Adam de Colton; *Wymer* Peter de Bixton, Geoffrey Sewale, Thomas Skyp, Richard Fysh, John de Beccles, John Taverner; *Ultra Aquam*, John de Baketon, Gilbert de Secheford, William Gerard, John atte Grene, Thomas de Dounham, Thomas de Hakeford.

The said 24 gave their answer concerning the election² as appears below viz., *Conesford*, John Latimer, *Mancroft* John Warde; *Wymer* Walter de Bixton; *Ultra Aquam* Robert Spycer.

[The entries numbered CLXXX. to CXCI. are from 6 separate Rolls, See Introduction IV. 9.]

CLXXX.—First Assembly, on Thursday after St. Faith the Virgin, 46 E. III. [7 Oct. 1372], in the time of Ralph Skeet, Nicholas de Blakene Bartholomew Appilyerd and Thomas Hert Bailiffs of the City of Norwich, the aforesaid Bailiffs, Thomas de Bumpsted William Asger Robert Spicer Henry Skye Peter de Bliclyngg John Pykyng Ralph Yve Reginald de Bungeye John Geney John Page Thomas Stannard and others of the Community being present.

Geoffrey Sewale and Richard Fisch were elected to go to the parliament of the Lord King and there was granted to them a warrant sealed with the common seal and their expenses were granted.

It was also ordered that if any of the 24 elected³ fellow-citizens absented himself from every or any common assembly without reasonable cause, so that he excused himself by his attorney during the holding of the assembly, he should be amerced 2s. And if any of the artificers so elected to take part in any assembly⁴ absented himself as above he should be amerced 12d. Half of the amercements to go to the Bailiffs and half to the Community.

¹ That is, a Mayor of the Staple, which office Roger Verly had held. The seal was to witness recognisances of debts between merchants. Blomefield (III. 95) gives a description of the seal in 1353.

² Dederunt responsionem de eleccione.

³ Introduction IV. 9.

⁴ Ad interessendum cuilibet congregacioni.

CLXXXI.—Assembly on Friday before Conversion of St. Paul, 46 E. III. ending. [21 Jan. 1373.]

A mandate of the Lord King was read for a Tenth granted to him in the parliament held on the morrow of All Souls, one half to be levied and paid at the feast of the Purification, the other at the feast of Pentecost.

Also Ralph de Shelton Knight and William de Norton collectors of the Lord King's subsidy sent a warrant to the Bailiffs of the City of Norwich to cause to be levied £110 from all the parishioners¹ of every parish² of the said City, to which the Community replies that they are in no wise willing to pay the said money. And if any expenses should be incurred in defending the payment of the said money they will with one voice that the Treasurer pay them out of the money of the Community.

At an Assembly on 7th March 2 citizens are sent to the King to obtain the release³ of the Community from this subsidy.

At an Assembly on 10th June a Mandate of the Sheriff was discussed claiming £25 os. 8d. for arrears of the subsidy of 46 parishes being in the City of Norwich and the whole Community wished to postpone an answer till they had a reply from John de Foxle going to the King's Exchequer.

On 17th June John de Foxle was sent to make defence against Ralph de Shelton, to receive from the Treasurers 26s. 8d., and if he succeeded to the interest of the Community⁴ he was to receive 53s. 4d.

On 23 September, James Yve Ralph Yve John de Toft Robert de Merton Thomas Stannard Richard Fish John Pykyng John atte Mer Walter Nyche John de Bastwyk William de Sporle John de Haghe became bail towards⁵ Bartholomew Appilyerd Nicholas de Blakene Ralph Skeet Thomas Hert and William de Worthsted⁶ to pay them if need be £25 os. 8d. of arrears of the subsidy. These last 5 became bail towards Thomas de Bumpsted John Geney Philip Broun and Reginald

¹ Parochianis.

² This entry cannot refer to the Tenth demanded at this same Assembly. It must refer to the Tax on Parishes sanctioned by Parliament in 1371 (Stubbs, *Const. Hist.*, ii. 442). On the erroneous supposition that there were 40,000 parishes in the country, a tax of 23s. 3d. was to be levied from every parish, in order to raise £50,000. It being found that the actual number of parishes was under 9,000 the tax was raised to 116s. per parish. This fell very heavily on Norwich with its 46 parishes, the sum required being £266 16s., about three times the amount of an ordinary tenth. Apparently the citizens had to pay it in spite of their protest. The contemporary Chamberlains' Rolls have not survived.

³ Ad excusandum.

⁴ Si expediat ad utilitatem Communitatis.

⁵ Manuceperunt erga.

⁶ William de Worthstead was shortly afterwards Common Clerk and may have been so now. Four citizens had been sent to London to get the arrears excused. They might be arrested if they did not pay. The 4 Bailiffs and a leading official become bail for them, and 12 other citizens become bail for the 5 officials.

de Bungeye to pay them £25 os. 8d. of arrears of the subsidy if it should happen that any of them was arrested in London for the said money.

CLXXXII.—Assembly on Wednesday after St. Gregory the Pope. [16 March, 1373.]

A letter was read sent from the King of Castile and Leon Duke of Lancaster¹ for Richard Massager to have by gift of the Community the custody of Needham Gates. Four citizens are elected with 2 Bailiffs to answer the letter to John Haukim the Lord King's sergeant at arms.

CLXXXIII.—Assembly on Friday in Week of Pentecost [10 June, 1373.]

Four Artificers, viz., 1 from each Leet, are elected to be on the Wednesday next with the Bailiffs and Auditors to audit the account of the Tax &c. ✓

CLXXXIV.—Assembly on Friday after St. Michael 1 Richard II. [2 Oct. 1377.]

Walter de Bixton and Peter de Alderford were elected to go to a parliament to be held at Westminster on the quindene of St. Michael. The 4 Bailiffs and 13 citizens named were elected to consult with Walter de Bixton and Peter de Alderford to go² to parliament concerning matters touching the Community.

Also there was granted by the whole Community to the Bailiffs for the coming year a Warrant of the Peace³ and, if the Justices of the Bench should come, concerning the accustomed allowance⁴ sealed with the common seal.

CLXXXV.—Assembly on Tuesday after St. Lucy. [15 Dec. 1377.]

Bartholomew de Appilyerd and Walter de Bixton⁵ are elected to go to London to prosecute the confirmation of "our charter." . . . On 7th January 1378 Walter de Bixton and Henry Lomynour are elected to go to London "to prosecute the confirmation of our charter of liberty and the increase of our liberties as they may be able."

CLXXXVI.—Assembly on Friday after St. Matthew 3 R. II. [23 Sept. 1379.]

Walter Asger Nicholas de Blakene Henry Lomynour Roger Presson

¹ John of Gaunt.

² Ad proficiscendum.

³ Warrant' de Pace. On the assumption of this authority by the Citizens as a necessary consequence of the Statutes of Labourers, see Introduction IV. 12 and XI. 3 end.

⁴ De allocacione consueta. Perhaps because the Bailiffs had to provide presents for the Judges and to meet other expenses of their visit.

⁵ Introduction IV. 14.

Bailiffs for the coming year took their oath. And a Warrant of Peace was granted to them and if the King's Bench¹ comes to Norwich within the next year they claim the accustomed allowance.

CLXXXVII.—First Assembly on Wednesday after St. Luke 3 R. II. [19 Oct. 1379.]

John Mirker is elected to collect the rents of the Community bearing a mace by authority of the Bailiffs.²

It is agreed that the ancient penalty for default in attending the assembly be levied from every one making default without reasonable cause.

CLXXXVIII.—Assembly on Wednesday after St. Clement [23 Nov. 1379.]

John de Tasburgh elected to the office of common sergeant [communis sergant].

CLXXXIX.—Assembly on Thursday after St. Matthew 6 R. II. [25 Sept. 1382.]

The allowance claimed by the Bailiffs on receiving their Warrant of the Peace is said to be "pro Justiciariis domini Regis."³

CXC.—Assembly on Wednesday, the Vigil of St. Bartholomew 9 R. II. [23 August, 1385.]

A letter patent was read of Robert Knoll William de Brembre Mayor of London and William de Walworth for ships barges balingers and mariners to go to the parts of Flanders and it was agreed by the whole Community for⁴ 40 armed men and 40 archers and 40 mariners and there was granted a tax of a double Tenth in the quickest mode in which it could be levied and Taxors were elected.

On 29th August was read a letter of the Reverend Father in Christ the Lord Archbishop of Canterbury and the Bishops of London and Winchester [for 3] ships and 3 barges each of the ships with 40 men at arms and 40 archers and each of the barges with [30] men at arms and 30 archers with double equipment [estauramento] as well ships as barges. It was agreed that the armed men and archers and mariners should have sloppes and hoods of white and red party.⁵

¹ Bancum Regis.

² Portans unum mace auctoritate Balliuorum.

³ ? For entertaining the Justices.

⁴ Super.

⁵ Habebant sloppes et capucia de albo et rubeo bipartit', of white and red divided vertically.

CXCI.—Assembly on Thursday after St. Barnabas 10 R. II. [14 June, 1386.]

There were elected 6 citizens to elect a Mayor of the seal of the Statute and Nicholas de Blakene was elected.

[After the year 1386 there are no more Assembly Rolls preserved till 1413. In the interval the 4 Bailiffs had been replaced by a Mayor and 2 Sheriffs. The 24 Citizens had a recognised position of authority. According to Blomefield a Common Council of 80 persons was already established. The following entries, to which he does not refer, seem to record the first formation of such a body. The resolutions passed are the basis of the "Composition" of Feb. 1415.]¹

CXCII.—Great Assembly held on 22nd day of December [1413].

Also it is conceded that the Mayor and Sheriffs of the said City and the Twenty Four shall elect 4 good men [probos homines] and the Commonalty may elect other 4 persons for the election of the Mayor and Sheriffs.

CXCIII.—Great Assembly held in the Guildhall of the City of Norwich on the 5th day of the month of February [Feb. 5th, 1414] in the 1st year of the reign of King Henry the 5th after the Conquest, before the Mayor and Sheriffs aforesaid, John Danyel Robert Brasyer John Leverych John Wursted Walter Eton Robert Dunston Thomas Gerard Richard Purdaunce John Worlych Sampson Baxter John Mannyng John Byskelee John Coulton Richard Whyte

[here is a space left in the list].

Thomas Benet John Shotesham junr. Robert Asger Robert Baxter Henry Pykyng Ralph Ive Thomas Cok William Crakeford William Ampulford Henry Crystyan Peter Brasyer Roger Cornwayle Thomas Lound Thomas Walenger Thomas Hilton Stephen Boole Thomas Rous Robert Fyscher draper Thomas Martin Thomas Mulbarton William Ruche John Page John Hert John Cambridge Henry Mayster John Hert mercer John Michill Robert Brakle Roger Kyte Andrew Crowmer William Dickelburgh John Welle coupere John Whythed Edmund Berd John Smeth Philip Hempford Thomas Erpyngham William Spaldyng John Baddyng Adam Bischope Richard Pylly Henry Fakon Richard Mome Adam Gosselyn miller John Halyday John Shipdam Edmund Goos Richard Lauerans Walter Blythe William Burgoyne Adam Mason John Cotton Alan Dully smyth William Riche Simon Barker Richard Bronde John Pelet John Wynch Thomas Bloker John Dikelburgh John Flekke John Bookesword John Robard John Hargham Edmund Man Robert Stevenys Richard

¹ Introduction V. 5.

Auke John Bray Thomas Newman Geoffrey Mote John Wymdham
 Geoffrey Battes glouere John Aleyn Robert Rose Robert Pert Simon
 Bene William Gerard John Dunnyng John de Barsham Philip Mocket
 John Miller Barker Robert Chapeleyn John Berry William Holond John
 Uscher Richard atte Yates John Belhawe Nicholas Wrotham John
 Good listere Thomas Marchall Michael Burgate William Intwode Ralph
 Gunton Richard Stenyor John Hacchet Robert Clerk wryghte Augustin
 Bange William Shipman Adam Kyngges Robert Slepere Simon Loker
 William Bele John de Rouk Robert Brunle Nicholas Latoner William
 Norwych Richard Hokham Stephen Furbour William Freville John
 Frend barker William Cast' cordwainer John Aldry Richard Retisham
 Alan Caly Richard Walenger William Hirdiller John Fuller fyscher
 Robert Skipper Geoffrey Freville Thomas Caly Thomas Wodeward W'
 Massager William Thorp Irlondder Thomas Morsel John Bennes Robert
 Newman John Massager William Alblaster Robert Stradbook Ralph Roo
 John Denton Edmund Brom Clement Fyschman Simon Bawburgh John
 Skowe William Roper William Maggeson Richard Rauele Henry
 Massyngham Simon Sadiller Geoffrey Bixton Simon Plomer Stephen
 Kyle William Grey John atte Strete John Grond cordwainer John
 Hamond botman Walter Davy Thomas Antyngham John Herman
 cordwainer Thomas Paryng John Rippele Thomas Grene John Swanton
 John Belhagh tailour Stephen Lynner and [. . .] Gargrave

It was ordained in that Assembly that the Mayor with his counsel¹
 each year on the third Monday after the feast of Easter at the Guild
 Hall should choose from each leet one of the more sufficient of the
 Commonalty viz. 4 persons for the 4 leets, which 4 persons shall be
 sworn before the Mayor to choose in the said 4 leets 80 persons with
 themselves of the more sufficient of the Commonalty with the 4 persons
 so sworn viz., in each leet 20 persons with themselves. And the said
 80 so chosen shall choose 2 persons of the more sufficient of those who
 have before been in the City of Norwich Mayor or Sheriffs or Bailiffs.
 And that the said 80 shall choose 2 persons and present them to the
 Mayor Sheriffs and 24 good men or those there present in one room²
 by themselves of which said 2 persons one shall be chosen for Mayor of
 the said 2 persons³ by the Mayor Sheriffs and 24 there present.

And that each year on the Monday next after the feast of the
 Nativity of the Blessed Mary at the Guild Hall the said Mayor Sheriffs
 and 24 shall choose one sufficient man for the office of Sheriff for the
 year following and the said 80 shall choose one other for the said office
 of Sheriff and that either party shall choose such a man for the office
 of Sheriff as they shall be willing to answer for towards the Lord King
 concerning the farm &c. But if the said 80 are not at the election of

¹ Cum consilio suo.² Domo.³ These words seem redundant.

a Sheriff together then they shall choose in the name of those not present [here are some words intentionally erased] other sufficient men there present for the time [other words erased].

Also it was ordained that for every common assembly the Mayor Sheriffs, the Twenty Four, Coroners, Supervisors, Treasurers, Clavers, all kinds of¹ Constables and 80 of the more sufficient persons of the Commonalty appointed from the said leets to be chosen by the aforesaid form viz. as it is contained in the election of a Mayor.

Also it was granted that this ordinance be engrossed under the common seal and the seal of the office of the Mayor.

Also it was ordained that the 80 shall choose every year on the day of the election of the Mayor 24 of those persons who have been Mayors Sheriffs and Bailiffs of the City of Norwich to be of the Mayor's counsel² for the year following.

Names of those chosen to be and ordain for the making³ of this ordinance So that it be enacted⁴ &c. viz. John Bippele Ralph Gunton Thomas Merchal Andrew Crowmere Roger Kyte John Danyel John Leverych Robert Donston.

CXCIV.—Assembly on 9th Feb. [1414.]

At this Assembly the ordinance of the aforesaid schedule was sealed with the common seal which was replaced in the chest of the Clavers.⁵

CXCV.—Great Assembly held in the Guildhall on the 3rd Monday after Easter, *i.e.* the last day of the month of April . . . [30 April 1414]

At that Assembly Richard Drewe Mayor of the city chose 4 sufficient citizens of the 4 principal leets of the city who were sworn before the Mayor to choose to themselves [ad eligendum sibi] 19 citizens of each leet who should make the number of 80 citizens with themselves the 4, the names of which 80 [are] *Conesford* William Gerard John Michill Augustine Bangge Richard Wilbey marchant William Nich Robert Slepere John Hamond William Sporle Edmund May Stephen Freng Henry Stathe John Dunnyng John Baddyng John Fuller. *Mancroft* Robert Page Thomas Cok Andrew Man William Rose Michael Beargate William Burgoyne John Hert draper John Shotesham junr. Roger Kyte Roger Cornwayle Richard Steynolf John Wynch Robert Baxtere Robert Fysche draper John Hempstead Andrew Crowmere William Forthe Simon Plomer Henry Pykyng John Glesworth Thomas Kerbrook Thomas Rous

¹ Omnimodi.

² De consilio maioris.

³ Ad essendum et ordinandum pro factura.

⁴ Inactitetur.

⁵ Repositum in cista clavigerorum.

Robert Attewell coupere. Wymer John Erlham baker John Serell Simon Cook Stephen Furbour William Spaldyng skynner John Cambyrgg Thomas Marchall Henry Mayster Clement Fyschman Richard Bonde Richard Monsele Thomas Newman Philip Pelet Robert Smyth fyschman William Gray Richard Retisham Ralph Gunton Richard Hokham Thomas Bene Richard Grene Thomas Ingham Thomas Bilham Roger Plomer Henry Crystian Nicholas Lomynour Henry Jakes John Bilhawe William Holond John Hodgenes. [*Ultra Aquam*]¹ Adam Fayercok Robert Newman John Forth Nicholas Hemmyng Thomas Wodeward John Whythed William Norwych Richard Warenger Philip Aleyn Thomas Ulf John Gedeneye Robert Catton Walter Massager Alexander Ocle. Who chose on their oath 2 sufficient men viz. John Danyel and John Biskele. And then Richard Drewe Mayor and William Sedman and Robert Southfield Sheriffs and the 24 men went into one chamber² by themselves and chose one of those 2 persons for Mayor for the coming year viz. John Biskele.

CXCVI.—Assembly on Thursday before St. Luke 8 Hen. V. [15 October, 1420.]

Also it was granted to the men of Trows that the Community of Norwich should acquit and keep unharmed³ the said men of Trows towards the Lord King and all others concerning view armament and array⁴ and all other vexations or summonses laid upon them in the country outside the franchise of the City of Norwich.

CXCVII.—Assembly on Tuesday after St. Katherine. [26 Nov. 1420.]

At which Assembly was shewn the new Charter of Liberty⁵ and it was read and delivered to the Clavers for custody.

CXCVIII.—Assembly on Friday after St. Augustine Bishop 9 H. V. [30 May, 1421.]

At which Assembly Robert Dunston and Robert Baxstere declared the whole intent and the business done⁶ in the Lord King's Parliament held at Westminster on Friday next after the feast of the Ascension of the Lord.⁷

Also 4 sufficient persons were chosen by the Mayor for the office of Justice of the Peace in the said City viz. Walter Danyell Robert Brasyer Richard Purdaunce and Robert Baxstere together with the Mayor.

CXCIX.—Assembly on Monday after St. Barnabas. [16 June, 1421.]

Election of citizens from the 4 wards to make order for the suit

¹ The name of this Leet is omitted by error, a small space here occurs in the list.

² Cameram. ³ Indempn¹. ⁴ Monstracione armatura et arrayacione.

⁵ This must refer to a public reading of the charter of 5 H. V. (1417).

⁶ Tot' intent' et ocupac' fact'. ⁷ 2 May 1421.

against the citizens of the said city at the suit of the Lord King by a writ concerning a certain office taken before Edmund Oldhalle lately Escheator of the Lord King in the County of Norfolk at Cryngylford.¹

CC.—Assembly on Thursday the Vigil of the Assumption of St. Mary. [14 Aug. 1421.]

It was agreed that the Capital Pledges of the Leet of Berstrete should pay to the Community 20s. which they have taken from John Chaplain of the parishes of St. Martin in the Bailey and St. Michael . . . for common land given by the said pledges to the said Chaplain without assent of the Mayor Sheriffs and officers² of the Community in the parish of St. Martin aforesaid. The Capital Pledges of Berstrete are ordered to pay the 20s. by the next Assembly, 2 sureties being required.

CCI.—First Assembly . . . on Friday before St. James Apostle, 10 Hen. V. [24 July, 1422.]

At which Assembly it was ordained and granted that the King's River should be cleansed³ from the mills called le Calkemyll to the gates called le Bishopesyates by the men who dwell in the Ward Ultra Aquam sparing no one as their state or position⁴ demand. Also that the said River from le Bishopesyates to Thorpe Episcopi should be cleansed by the residue of the City viz. the men who dwell in the Wards of Conesford Mancroft and Wymer sparing no one as is aforesaid. Also it is ordained that the Constables of every Ward each in his own leet⁵ shall warn all persons who shall labour in the said River &c. And that every person of the said Wards able in body to work or able in goods to pay⁶ shall labour at cleansing the River or pay to the Constable of the leet where he resides 4d. a day for the wage of a labourer in his place to be hired to labour . . . as often as he shall be warned by the Constable.

¹ Held on 7 October, 1417. No. CCLXXXVI. Introduction VI. 2.

² Offic'. If this word is rightly rendered "officers," it is difficult to see what officers can be meant. A churchwarden would not be called an officer of the community. A parish constable, if such there were, would be subordinate to the leet, the offending body. Nor does it appear what the Sheriffs should have to do with common land, nor even the Capital Pledges who in all the numerous Leet Rolls are never found doing any local administration other than police. Their action here was far beyond fining people for encroachment on common land, and the money they took clearly belonged to the Community. It seems plain that as yet an Alderman had no administrative control over a special district, unless he is here described as an "officer of the Community" which is not likely.

³ Mundabitur. ⁴ Status sive gradus.

⁵ Constabularii cuiuslibet Warde quilibet eorum in leta sua, see Introduction VII. 6, 7.

⁶ Potens in corpore ad laborandum aut potens in bonis ad soluendum.

The Constable of the Ward or leet may distrain anyone refusing to work or pay for a substitute and detain the distraint until full satisfaction is made.

Every one is to be at his work at latest at the 5th hour in the morning and remain until the 7th hour after noon. The Community is to pay for all tools and farms of boats. The Mayor for the time being may appoint overseers of the work.

Also at the instance of Thomas Erpingham and Simon Felbrygg Knights letters testimonial were granted under the common seal of the City to testify concerning the life of Robert son and heir of John de Clifton esquire which John lately died in the service of the lord King in the parts of Normandy, and which Robert is in the wardship of the said Simon and is alive as the letters of the said Thomas and Simon read and viewed in the said Assembly more fully testify.¹

Also it is ordained that all as well Aldermen as the 60 persons now elected and in future to be elected to be of the common counsel² of the city who shall make default in not coming to common Assemblies if it shall be answered by the sergeants at mace³ of the city in full assembly that they were well and faithfully summoned shall lose the penalty which in divers assemblies has been ordained, to wit, each Alderman 12*d.* and each of the 60 persons 6*d.* unless they may reasonably excuse themselves.

CCII.—Assembly on Tuesday after Exaltation of Holy Cross 1 H. VI. [15 September, 1422.]

At which Assembly it was ordained that the tourns of the Sheriffs shall henceforth be held openly in the City of Norwich "in le Gildehalle," and not secretly nor elsewhere as the tourns of the Sheriffs in the County of Norfolk and in other counties of England are wont to be held openly according to the form of the Statute.⁴ And that the Inquests for such tourns shall be taken of good and sufficient persons who are persons of good name and good fame and not of others. And that the proclamation for taking the said tourns be made in divers places within the Ward whence such Inquests are to be taken 4 days at least⁵ before any tourn shall be held under this form and in these words, to wit, that all men who have anything to do at the tourn of the Sheriff and any who wishes to say anything there for the Lord King or for himself shall be at the

¹ The seal of the City would be counted as good security for the declaration. Sir Thomas Erpingham was closely connected with the city, and probably the others were also.

² Consilio.

³ Servientes ad clavias.

⁴ It can hardly be doubted that this resolution was the basis of the Sheriff's Charge (No. XLVII. 9) which Blomefield (iii. 185) assigns to a much later period. The Statute referred to may be 2 H. IV. ch. 9. On the City Sheriffs' Tourns, see Introduction XII. 5.

⁵ Ad ultimum.

Guildhall at such a day &c. And if any Sheriffs of the City in future do anything contrary to such ordinance by taking any Inquest of persons who are not persons sufficient and of good name and fame they shall pay to the Community £10 which the Mayor for the time being shall cause to be levied to the use of the Community.

CCIII.—Assembly on feast of Invention of Holy Cross. [3 May, 1423.]

Election of Constables.—*Conesford* John Folcard Adam Gosselyn; *Berstrete* John Dunnyng Edmund Man; *Mancroft* Roger Cornwayle and William King Peter Brasyer and William Burgoyne; *Wymer* Henry Mayster Clement Fyshman Edmund Fuller and Stephen Furbyssher; *Coslanye* Robert Chapeleyn and William Yeselham; *Fibriggate* John Newman and Geoffrey Quyncey.

CCIV.—Assembly on Friday before St. Petronilla. [28 May, 1423.]

At which Assembly it was ordained that watches should henceforth be annually and continuously observed in the City of Norwich from the feast of Easter to the feast of St. Michael in manner and form following. And that in the Ward of *Conesford* shall watch 8 persons, to wit, 4 in *Conesford* and 4 in *Berstrete*; and in the Ward of *Mancroft* shall watch 8, to wit, in the parishes of St. Stephen, St. Peter de *Mancroft* and St. Giles according to the discretion of the Mayor and the Constable of each ward; and in the Ward of *Wymer* 8 persons to be equally divided according And in the Ward *Ultra Aquam* 8, to wit, 4 in *Coslanye* and 4 in *Fybryggate*. Also in every Ward one person only and no more shall proclaim with kindly voice¹ that every one shall well and securely keep fire and light in their places.² Also all watches shall begin at the hour of curfew,³ to wit, at the ninth hour before midnight and shall last until the third hour after midnight.

Any one refusing after due warning by the Constable is to be fined 6*d.* for each default, half to go to the Community, half to the Constable. Any one sending an unsuitable person, too old or too young, to watch shall pay 4*d.* with which the Constable shall hire a suitable man. The names of all defaulters are to be certified to the Mayor by the Constable at each default.

Also if it should happen, which God forbid⁴ that any one whether he be the father of a family⁵ or the servant of any house in any way by day or night should make an affray by fire he shall pay 10*s.* to the Community. And if he cannot pay he shall suffer imprisonment for 1 year.

Also it is ordained that the men of every large parish within the city shall cause to be made 1 common ladder⁶ and 2 pairs of feerhoks

¹ Benigna voce.

² Bene et secure custodiet ignem et lumen in locis suis.

³ Ignitegii.

⁴ Quod absit.

⁵ Paterfamilias.

⁶ Scalam.

for pulling down burning houses.¹ And the men of 2 smaller parishes shall do the same.

CCV.—Assembly on Friday after Stⁱ Faith 4 H. VI. [12 Oct. 1425.]

At which Assembly William Multon one of the 60 persons of the Common Council³ made default in not coming, &c.

Also there was elected in this Assembly to go to London to treat and confer with the men of law who are of the Common Council³ of this city and the Common Council of the Town of Northampton and to ordain and resist if any one wishes to speak against the Community or any member of it by occasion of a dispute lately stirred in the city, and to receive 2s. for each day's labour in this matter viz. William Grey.

CCVI.—Assembly on Thursday before Stⁱ Peter in Cathedra. [21 Feb. 1426.]

Also certain persons were elected as well Aldermen as others of the Commons⁴ to supervise and arrange as well for lands and soils belonging to the Community as for lands and soils hanging in dispute⁵ between man and man of this city, to wit, John Caumbrygg John Wryght William Grey John Coppyng Robert Slepere Richard atte Yates John Michell and Thomas Gryns.

CCVII.—Assembly on Wednesday after Easter. [3 April, 1426.]

Thomas Ingham Mayor declared that the executors of the Lord John Wakeryng late Bishop of Norwich have granted in view of charity⁶ to the Citizens and Commonalty of the said city to ordain and make a water mill in the common River to the profit and utility of the City viz. 100 marks.

CCVIII.—Assembly on Monday after Holy Trinity. [27 May, 1426.]

At which Assembly it was granted that all expenses and costs made in riding⁷ for John Asger elected to be Mayor as far as Bruges in Flanders should be paid by the Community.

Also John Watisden mercer and Thomas Harrowe mercer were admitted into the freedom of the City of Norwich by Thomas Ingham Mayor according to ancient ordinance without paying anything to the Community.

[After 1426 there is a gap of 10 years. The next extracts are from the 1st Assembly Book which commences in 1436 and runs to 1496].

¹ Pro domibus comburentibus prosternandis.

² Consilio.

³ Hominibus de lege qui sunt de communi consilio.

⁴ Alii de communibus.

⁵ Pendentibus in debatis.

⁶ Intuitu caritatis.

⁷ Equitacione.

CCIX.—First Common Assembly held at Norwich in the Guildhall¹ of the said City on Monday after the Nativity of St. John Baptist in the 14th year of the reign of King Henry the sixth . . . before Robert Chapeleyn then Mayor Edmund Bretayne and Peter Roper Sheriffs of the said City. [25 June 1436.]

[The 2nd Assembly was held on Monday after the feast of Relics (15 July); the 3rd on Monday after St. Margaret (23 July); the 4th on Friday the feast of St. Matthew (21 September); the 5th on Monday, Christmas Eve (24 December)].

CCX.—Sixth Assembly on Thursday before the Annunciation [21 March 1437] by Robert Chapeleyn *Mayor*, Richard Brasyer and Walter Crumpe *Sheriffs*; Thomas Wetherby Thomas Ingham Richard Monesle John Gerard John Dunnyng Peter Brasyer Augustine Bange Christofer Straunge Henry Pykyng Richard Steynolf Thomas Grafton William Ashwell Robert Laudesdale John Sypater William Grey Edmund Bretayn John Hoggekyns Gregory Draper *Citizens and Aldermen* of the said City; William Thurston Robert Slepere Robert Grey Robert Cole John Sturmyn Alexander Buxstan Richard Appelton Adam Aubre John Gerard bocher John Thaxter Bartholomew Blak Thomas Ray of the Ward of *Conesford*; Michael Burgate Nicholas Stannowe William Reyner spycker John Wulflet Richard Tonge John Colton of the Ward of *Mancroft*; William Okes John Colman John Michell Geoffrey Bottes Walter Crumpe Peter Roper Richard Dauy of the Ward of *Wymer*; William Iselham William Tele John Marwe Robert Grenewey John Howard William Seman Geoffrey Qwyncy John Fitz Roger Warde John Gogge and Thomas Greyve of the Ward *Ultra Aquam* Citizens of the said City elected for the Commonalty and the Common Council [consilio] of the City being personally present in the said Assembly according to the liberties and privileges granted to the Citizens of the said City by divers Kings of England and confirmed by the Lord King now.

In which Assembly by William de la Poole Earl of Suffolk² then and there present in person it was declared and notified to the Mayor Sheriffs Aldermen and Citizens of the Wards that the Lord King having been given to understand [concerning the dissensions in the City] . . . had sent his letters under his privy seal as well to the said Earl as to the Venerable Father the Bishop of Lincoln his beloved the Lord of Croumwell and the Lord William Philipp and all of them, the tenor of which letters follows in these words: Be the Kyng. Wurshepful Fader

¹ In Guyhalda.

² He came to give an Award in the matter of "Wetherby's Contention." Introduction VI. 6.

in God Right dere and Weel be loved Cosyn and trusty Wel beloved For the romour as We be enformed that ther is nowe late a certeyne diuysyon and debate fallen among the Cytegeyns of our Cite of Norwych the wheche dyuysyon if it shall longe continewe were lyke to cause gret mischief and inconuenien3 among our peple and allso perauenture the desolacyon and distrucyon of our seyde Cyte the wheche God defende We hauyng consyderacyon on to that that is abouenseyde woln and preyen 3ow joyntly outhere to thre or on of 3ow that with Inne as short tyme as 3e may goodly entende ther to ge examyne the causes of the foreseyde debate and diuysyon and with Goddes myahte cese and redresse the occasyon ther of or elles 3e certefye Unto us ho ben the sterers or promoters ther of and all so the cause and occasyon of the fourseyde debate and differens to that entent that We may knowe the answers and in example of all other corecte and punysh hem for her demerytes as our lawe wol and that 3e fayle nought this in no maner wyse as our full trust is in 3ow, 3even under our prevy seall in the maner of Lambythe the xiiij day of Marche. To the Wurshepful Fader and to eche of hem. Which said Earl by virtue of the letters on the Wednesday preceding the Thursday by assent and consent of the Mayor &c. made and established a final concord concerning the divisions arisen from the 1st day of May in the 11th year of the King's reign to the said Wednesday; which said concord and final settlement [determinacionem] the said Mayor &c. . . . in Common Assembly present by their free will affirmed accepted and confirmed by their deed [factum] duplicate made thereon and sealed under the Common Seal of the City of which [deed &c.] one remains with the said Earl and the other with the said Mayor Sheriffs Aldermen and Commonalty, of which deed the tenor follows under this form of words, Be it knownen &c.¹ Which deed and writing of the deed remaining with the Mayor &c. . . . the said Mayor &c. . . . wish and decree to have laid up and reserved and for ever to remain in the said City of record² as their Common Seal and other evidences and muniments of the City are laid up and reserved to the intent that the said concord may be observed and in no wise infringed.

Tauerham.

CCXI.—Assembly on Friday the Invention of the Holy Cross [3 May 1437]. Among officials elected. . . .

Robert Blickling is elected le Common Speker.³

¹ This document is given in No. CCXCVIII.

² De recordo. The original record has not survived.

³ The Common Speaker was elected by the 60 Common Councillors and acted as their mouthpiece.

CCXII.—Assembly on Friday after St^t Faith [8 Oct. 1437].

At that Assembly were sealed 2 letters one directed to the Lord Chancellor and the other to John Carpenter Secretary¹ of the City of London for informing them of certain articles of the City of Norwich.²

CCXIII.—Assembly on Tuesday before St^t Leonard Abbot [5 Nov. 1437].

At that Assembly it was granted that the Collectors of a Fifteenth for the commission of John Welles Warden of the City of Norwich have general power of sealing the doors and gates³ of every person refusing the burden laid upon him for the costs and expenses of the said wardenship.⁴

CCXIV.—Assembly on Tuesday after the Epiphany [7 Jan. 1438].

In this Assembly were elected 3 persons viz. John Gerard Alderman Richard Brasier Alderman and Robert Blickling Commoner to go to London for certain affairs of the City, to wit, for the renewing of the franchise. . . .

CCXV.—Assembly on 4th March.

A letter sealed with the Common Seal is sent to John Carpenter of London praying him to make request to the King's Council⁵ for the full reformation of "our" liberties with provision of certain articles which the said letter openly read specifies with the assent of the whole assembly.

CCXVI.—Assembly on Tuesday the Feast of St^t Luke 19 H. VI. [18 Oct. 1440].

At which Assembly it was agreed that, for the common utility of the City, Gregory Draper John Reyner and Thomas Oudolf shall have sufficient warrant under the Common Seal sealed conjointly and separately⁶ to make suit in the King's Exchequer from the Lord Treasurer of England and the Barons of the Exchequer for £100 lent to the King, for which the Mayor &c. holds a tally, which £100 when recovered shall remain in keeping of the Treasurer of the City till order for its disposal be made by the Common Assembly.

For the honour of the City in the same Assembly were granted to the most excellent Prince the Duke of Gloucester 40 marks to be paid out of the said £100.

[There are no entries between 1440 and 1452].

¹ Secretario. He was the compiler of the *London Liber Albus*. This title is referred to in Vol. I. xviii.

² Pro certis articulis Ciuitatis Norwici ipsos informand'.

³ Hostia et portas.

⁴ See *Proceedings of Privy Council* (No. CCXCIX).

⁵ Facere instancias Regis Concilio.

⁶ Coniunctim et diuisim.

CCXVII.—Assembly on Monday in Passion Week 31 H. VI. [19 March 1453].

Assembly of citizens resident and holding their own houses¹ within the Ward of Conesford according to the form and effect of the letter patent of the Illustrious King Henry IVth. granted to the Citizens of the City of Norwich,² who chose for Aldermen of the said Ward 6 able and sufficient persons viz. Ralph Segrym William Barly John Folkard Peter Boonde Richard Brasyer and Thomas Eyles and for the Common Council of the said Ward in the ensuing year 12 persons of the Citizens inhabiting within the said Ward and holding their own houses, viz. 6 in Conesford and 6 in Berstrete, to wit, John Edward James Goldebeter John Caly Robert Fulburne Simon Trusse Thomas Stalon John Bukle Walter Geoffrey John Gerard John Loveday John Holyer and Robert Hynton.

On Tuesday following the Inhabitant Citizens of Mancroft chose 6 Aldermen and 16 Common Councillors, 5 for St^t Stephen, 7 for St^t Peter Mancroft, and 4 for St^t Giles.

On Wednesday those of Wymer chose 6 Aldermen and 20 Councillors without mention of subdivisions.

On Thursday those of Ultra Aquam chose 6 Aldermen and 12 Councillors without mention of subdivisions.

CCXVIII.—Assembly on feast of SS. Philip and James [1 May 1453].

On the same day the Common Council [Consilium] and 24 Constables of the City according to the form and effect of a certain ordinance made in the time of William Henstede Mayor in the 26th year of the reign of King Henry VIth.³ nominated 2 persons of the more worthy and sufficient Aldermen of the City, and according to the form of the words of the letters patent of King Henry IVth. for Mayor to wit, Richard Broun and John Drolle. Of which 2 persons the greater part of the Aldermen present in the Chamber of the Guildhall chose for Mayor John Drolle.

CCXIX.—Assembly on the feast of the Invention of the Holy Cross [3 May 1453].

There were chosen for Constables in the underwritten Aldermanries.⁴

in *South Conesford* Robert Boys John Clement.

„ *North Conesford* Thomas Hervy John Goos cordwainer.

„ *Berstrete* William Aubry William Bysshop.

¹ Inhabitantium et per se hospicia tenencium.

² The Charter of 1404.

³ This ordinance is not preserved. It no doubt authorised the association of the

²⁴ Ward Constables with the Common Council in the nomination of two persons for Mayor.

⁴ These were the subdivisions of the four Wards, formerly the sub-leets. They were now organised as 12, and were afterwards called the Small or Petty Wards. See Introduction VII. 8.

in Aldermanry of <i>S^t. Stephen</i>	Thomas Bokenham jun. Thomas Bowgeon.
" " <i>Mancrofte</i>	Richard Boteler John Tubbyng.
" " <i>S^t. Giles</i>	John Yates Robert Baxter.
" " <i>Westwyk</i>	Edmund Colman John Pekke.
" " <i>S^t. Andrew</i>	Richard Zymes Walter Same.
" " <i>S^t. Martin</i>	William Taverner John Scolehou.
" " <i>Coselany</i>	Richard Ferrou Henry Toke.
" " <i>Colgate</i>	Thomas Heyham William Shirewynde.
" " <i>Fibriggate</i>	Walter Mote Nicholas Roo.

Over the 1st name in each pair is written "per Ald," *i.e.* appointed by the Aldermen.

CCXX.—Assembly on Friday before Holy Trinity [25 May 1453].

It was granted by advice of the Common Council¹ that doubts and difficulties and the explanation of words contained as well in Charters as in Compositions shall be resolved² by the discretion of 2 Justices, to wit, Sirs³ John Fortescu and William Yelverton.

CCXXI.—Assembly on Thursday after S^t. George 34 H. VI. [29 April 1456].

On the same day it was put⁴ to the Council whether the laudable ordinance for the election of Mayor and Sheriffs ordained in the time of William Ashwell Mayor in the 27th year⁵ by the Common Council and Constables of the City should remain in effect or not. And by the said Common Council it was granted that it should continue in force.⁶

CCXXII.—Assembly on Friday before S^t. Laurence. [6 Aug. 1456.]

It was agreed that the stamp⁷ with which measures shall be sealed shall henceforth remain in keeping of the Mayor by virtue of his office of Clerk of the Market saving always to the office of the Sheriffs of the City that which of right belongs thereto.

CCXXIII.—Assembly on day after Invention of Holy Cross 37 H. VI. (that day having been also Ascension Day). [4 May 1459.]

The names of the districts for each of which 2 Constables are elected 1 by the Aldermen and 1 by the Commonalty, are thus given: Southconesford, Northconesford, Berstrete, Needham, Mancrofte, Newport, Westwyk, Wymer, Est Wymer, Coselanye, Colgate, Fibriggate.

¹ Per avisamentum Communis Consilii.

² Remittentur.

³ Dominorum.

⁴ Quesitum fuit.

⁵ This seems to be the same ordinance as that mentioned above in No. CCXVIII. It was perhaps re-affirmed the year after its first enactment.

⁶ Fiat in suo robore.

⁷ Signum.

CCXXIV.—Assembly on Friday after S^t Gregory Pope 1 Edward IV.
[13 March 1461.]

In which Assembly was publicly read a letter missive¹ under the seal of the Lord King Edward to the Mayor of the City of Norwich and the Commonalty in which is contained that the 1st day of his reign is the 4th day of March.

CCXXV.—Assembly on the Nativity of S^t Mary. [8 Sept. 1461.]

In the election of Sheriffs the Constables are described as “Constabularii duodecim Wardarum.”

On 8 September 1462 the Sheriffs are thus chosen; amongst the Aldermen Richard Hoste mercer, and John Burton Grocer by the Common Council and the Constables of the City.

After this the 2nd Sheriff is chosen by “Commoners” only, there is no more mention of Constables at elections.

CCXXVI.—Assembly on Monday after Corpus Christi 3 E. IV.
[13 June 1463.]

On this day Thomas Antyngham Shomaker one of the Co-citizens of the 60 Co-citizens elected for Common Council by assent of the residue of the Common Council is stopped from taking his oath² as the other Citizens do because it was desirable for advice and counsel to be taken whether it is to the dishonour of the City and the gild of Saint George in the said City to receive a person of such a craft into the Common Council of the City. In the margin is written “Sutores non admittuntur in Commune Consilium.”

CCXXVII.—Assembly on Friday the feast of S^t Anne 5 E. IV.
[26 July 1465.]

The penalty for refusing to undertake the office of Alderman when duly elected and admitted is fixed at £40.

CCXXVIII.—Assembly on Friday after Epiphany. [10 Jan. 1466.]

On the same day was published by the Mayor and Recorder of the City the cause of the coming of the Lord de Scales to the City now a second time within 18 days; it is and was for the goods and chattels of John Paston of whom the Lord King is seised for his serf³ to seize in the

¹ Littera missiva.

² Respectuatur de sacramento suo prestando.

³ Pro nativo suo seisivit. The Editor of the *Paston Letters* (Edition 1896) ii. xxix. and xxx., mentions the efforts being made by Lord Scales to seize Sir John Paston's Norfolk property. The accusation of servile origin of the family is made in an undated statement (given in *Paston Letters*, i. xxi.) and assigned to this period and to the authorship of Judge Yelverton. The Mayor this year, Thomas Elys, was a hot opponent of Paston's (ii. 186), but found it difficult to reconcile his desire to please the Duke of Norfolk and Lord Scales with his duty of safeguarding the City liberties. The compromise that was devised was ingenious if somewhat undignified. In the latest edition (1904) this document is inserted.

name of the Lord King the said goods and chattels in whosoever's hands they may be found and to enter the messuage¹ of the said John Paston within the City and seize it with all the goods and chattels found therein, and whereas about and concerning the matters aforesaid answer had been made by the Recorder and the Council of experts in the law² in the City to the said Lord de Scales in all ways modes and form they could according to their learning for preserving and keeping unhurt the liberty of the City, and because the said matter touches the liberty of the City and its privileges and the said Lord de Scales will not be satisfied by any answer given to him for that the Lord de Scales is entirely intent upon³ entering the said messuage and breaking the fastenings⁴ of it, therefore the present common Assembly has been summoned to hear and have thereon the counsel and advice of the Common Council⁵ and the Constables of the City. After divers communications they prayed to communicate their deliberation.⁶ Mature deliberation having been held it is thus decided⁷ that an Entry shall be made with assent of the whole common assembly by the feoffors of the said John because it is well suggested⁸ that as well certain Aldermen as Citizen Commoners of the City are co-enfeoffed with the said John Paston, and so by the feoffors the said messuage will be opened without breaking,⁹ or at least in the name of the feoffors or one feoffee.¹⁰

CCXXIX.—Assembly on 22 October 4 H. VII. [1488.]

It was agreed¹¹ that according to the tenor of the letters of the Lord King Robert Thorp and Thomas Caws be chosen to be present at the great Council¹² of the Lord King to begin at Westminster on the 9th day of November next. And it is to be known that the said letter was directed to the Mayor and his brethren Aldermen, which remains with Thomas Bewfeld now Mayor.

[The following extracts are from the 2nd Assembly Book].

CCXXX.—Assembly on the Invention of the Holy Cross 7 Henry VII [3 May 1492.]

At which day Robert Aylmer newly elected Mayor according to the tripartite Composition¹³ chose 2 men to the office of sword bearer of the

¹ Probably in the Parish of St. Peter Hungate on the north side of Princes Street.

² Consilium legis peritorum. ³ Intendit omnino. ⁴ Clausuras.

⁵ Consilium et avisamentum Communis Consilii.

⁶ Post vero diversas comunicaciones communicare petierunt deliberacionem.

⁷ Definitum est. ⁸ Bene suppositum est. ⁹ Fractura.

¹⁰ Nomine ipsorum feoffatorum vel feoffati unius. ¹¹ Agreatum est.

¹² Ad comparendum ad grande consilium. It appears from this entry that the Parliamentary franchise was still exercised by the Assembly.

¹³ The Composition of 1415. (No. XLI. 8.)

Mayor, to wit, William Forest and Thomas Abbot. Of whom the 60 Co-citizens chose William Forest.

And the said new-elect in like manner chose 4 men in addition to those two¹ to be sergeants-at-mace of the Mayor, to wit, William Bawen, Peter Say, John Smyth and John Walden. Of whom the 60 Co-citizens chose 2, to wit, William Bawen and Peter Say.

And by the whole Assembly² Henry Spelman³ was chosen to the office of Recorder.

And by the Aldermen according to the tripartite Composition Andrew Pawe was chosen to the office of Clerk of the Mayoralty⁴ and of the Commonalty.

CCXXXI.—Assembly on Tuesday⁵ [sic] after Passion Sunday 8 H. VII. [10 Ap. 1493.]

Conesford.—The Citizens inhabiting &c. according to the tripartite Composition chose Hamo Claxton Robert Gardener Robert Cook John Sweyn Thomas Cawys and John Pynchemour, 6 Aldermen, to be in this coming year of the Common Council of the City. And also they chose 12 co-citizens of and for⁶ the said Council viz. . . .

The same form occurs for several years.

CCXXXII.—Assembly on Friday after “Dominica in Albis” 11 H. VII. [22 Ap. 1496.]

For cleansing of the streets 2 persons were appointed in each Aldermanry “with the Aldermen of the said Ward.” The list begins, “In the Aldermanry of South Conesford with Trous and North Conesford Thomas Large and William Heyward with the Aldermen of the said Ward.”

CCXXXIII.—Assemblies for Election of Aldermen and Councillors in 12 H. VII. [1496.]

Conesford.—On which day the Co-citizens . . . chose 6 Aldermen, to wit, in South Counsford with Trows John Sweyn sen^r and John Pynchamour, in North Counsford Hamo Claxton and Robert Cook. And in Berstrete Robert Gardener and Thomas Caus to be of the number of the 24 Aldermen for the ensuing year. And for the Common Council for the aforesaid Ward, 12 persons not assigned to small wards.

Mancroft . . . 6 Aldermen, to wit, for Mancroft Henry Wylton and Robert Burgh. And for the Ward of St^e Stephen Stephen Bryan and

¹ Ad eorum duos.

² Per integram Congregationem.

³ Of Narburgh. He obtained the property through his wife Ela daughter of William de Narburgh. (Blomefield, *Hist. Norf.*, vi. 151.)

⁴ Maioratus.

⁵ This election should have been on Monday according to the Composition (XLI. 4). No reason is given for the change of day.

⁶ De et pro.

Richard Brasyer. And for the Ward of St. Giles Nicholas Cowlych and John Jowell And for the Common Council, 16 persons not assigned. [In the case of 2 they are entered as substitutes, "Robert Brome grocer in place of William Norfolk, Richard Aylmer in place of William Gylberd." The same occurs in other cases. At this time the Councillors were generally re-elected year after year.]

Wymer 6 Aldermen for the whole Ward, to wit, for the Ward of Est Wymer 2; for the Ward of Middelwymer 2 persons; for the Ward of West Wymer 2.

Ultra Aquam 6 Aldermen; in Ward of Coslany 2, in Ward of Colgate 2, in Ward of Fybrigge 2.

CIVIL JURISDICTION.

Pleas in the City Court of Norwich under the Bailiffs in the 14th century.¹ (*Abstracts.*)

"Pleas of the Court of Norwich on Monday next after the feast of St. Dominic Confessor in the 3^d year of the reign of King Edward the third after the Conquest." (7 August 1329.)

CCXXXIV.—*Plea for Recovery of Rent.*

Hubert de Martham and Henry de Foulden, chaplains, by Peter de Hakeford their attorney claim against William Fairman a messuage in Norwich which William holds of them by certain services, viz. of 3 shillings yearly which are in arrears, to recover which they have a Writ of "Per biennium cessavit."² They say that the messuage had been held on this service by Robert de Possewyk and William de Brokedish who had conjointly enfeoffed Hubert and Henry. The defendant claims a view and then by Nicholas de Eston his attorney declines to answer to the count because the view shews that there are 2 messuages of which William was separately enfeoffed, in confirmation of which Robert de Possewyk and William de Brokedish produce deeds in court. [No more of this plea.] (*Plea Rolls, case 8 a.*)

CCXXXV.—*Plea for Render of Account.*

Bartholomew de Tuston is summoned by Ranulph le Chapeleyn and Richard de Bastwyk executors of the testament of William de Mundham on a plea of Rendering Account³ of William's moneys

¹ Introduction XI., 2, 3, 4.

² See p. 137, note 2.

³ De placito quod reddat eis rationabilem computum.

which he had received. They say William had given him £20 with his own hands and £20 by the hands of John de Brok, John de Bernham and others. They further claim £20 damages. Bartholomew denying the receipt of the money, both parties put themselves on an inquest. The Jurors decide that Bartholomew had received £11 and they tax the damages at £6. A day is given to the parties to audit the account¹ of the £11, viz. Friday after the feast of St. Edmund Confessor (16 Nov.) by order of the Court otherwise by the King's Writ they must go back to his Court.² The Bailiffs chose auditors to audit the account, John de Holveston and William But junior, by Tuesday after the feast of St. Catherine (25 Nov.). On which day they delivered the audit of the account³ to the Bailiffs. Because the Court decided not to render judgment on that day the following Monday was given to the parties when judgment was postponed for a week. On that day Bartholomew did not appear. Therefore he is in mercy. (*Case 8 a*, 1329.)

CCXXXVI.—*A Plea for Recovery of Dower.*

Emma widow of Benedict de Cosseye claims a reasonable Dower⁴ "unde nichil habet" against John Tolle. The plea had been claimed out of the King's Court at York by the Bailiffs of Norwich and the claim was allowed by the King's Judges.

On Monday before the feast of St. Ambrose (3 Ap. 1329) John Tolle by Peter de Hakeford his attorney comes into the Court of Norwich and vouches to warrant William son and heir of Robert Martin butcher being under age.⁵ By aid of the Court William is summoned and enters into the warranty. (*Case 8 a*, 1329.)

CCXXXVII.—*A Plea to recover half a messuage by right of inheritance of gift.*

Roger de Berton by Peter de Hakeford his attorney claims against Robert de Berton half of a messuage as his right by a Writ de forma donacionis.⁶ Avelina widow of Geoffrey de Aldeberge had given it to Bartholomew de Berton and Cecilia his wife and their lawful heirs. At their death the right descended to their son and heir Richard de Berton who was seised of it in the time

¹ Ad audiendum compotum.

² The case must have been claimed out of the King's Court.

³ Audicionem compoti.

⁴ See p. 236, note 1 (No. CX.)

⁵ Infra etatem.

⁶ Concerning the form of a gift. The word here given as "forma" is in MS. "fora."

of King Edward father of the present King. Richard dying without an heir the right descended to Ralph de Berton his brother, who also dying without an heir it descended to Roger the claimant. And thereof he produces his suit. Robert by John de Midhurst his attorney denies Roger's right and pleads that he should have no action as claimant because in his count he alleges¹ that Ralph died without an heir whereas he has two, viz. Margery and Alice at Walberswyk in Suffolk. [No more.] (*Case 8 a*, 1329.)

CCXXXVIII.—*Plea to recover land unjustly detained.*

On Monday 17th May 1344 (the parties having been summoned the previous Monday) Amabilla daughter of John de Thetford and John her son by a King's Writ "ex querela,"² claim against Robert de Bumpstede junior and Thomas his son a messuage and a quay. They plead that, "whereas according to the custom heretofore obtaining and approved in the said City it is lawful for any citizen in his testament in his last will³ to devise, as his chattels, to whom he will his tenements which he has acquired for himself, John Kempe citizen of Norwich being so seised of a messuage and quay and taking therefrom issues to the value of half a mark devised them to his wife Sarra for her life, so that after her death they should remain to the said Amabilla and John and Johanna daughter of Amabilla. After the death of Sarra Robert de Bumpstede junior and Thomas his son entered into the said messuage and quay and wrongfully detain them to the no little cost and grievance⁴ of Amabilla and John and contrary to the will of the testator and the custom aforesaid, to the damage of 1000 marks to Amabilla and John. Robert and Thomas come and deny the right and the damage and say that Amabilla and John in their count concerning John Kempe's acquisition had made an omission in the proper form.⁵ Amabilla and John say they have counted according to the form of the writ. Both parties pray judgment. A day is given them concerning judgment on the following Monday (24 May). After another adjournment the Court on Monday 7 June having consulted concerning the omission decide that Amabilla and John should take nothing by their writ and Robert and Thomas should go without a day.

¹ In narratione sua supponit.

² A writ issued on a Complaint of wrong.

³ See p. 154, note 3.

⁴ Dispendium non modicum et gravamen.

⁵ Narrando fecerunt omissionem de perquisito Johannis Kempe in forma qua debuerant narrasse.

On Monday March 14th 1345 the same case is renewed as of a "Placitum unde Inquisitio."¹ The Inquest is "in respectu."² This continues to come before the Court every Monday without a break till 4 July when a Jury gives a verdict that Robert is the sole tenant and not his son John. Amabilla is to take nothing.

On August 1st the case is resumed as a "Placitum terre post visum."³ After weekly adjournments, on September 12th a day is given to Amabilla to hear judgment. The following week is an adjournment and the next week judgment is postponed. After this the case continues before the Court almost always with the words "Adhuc judicium" every week but one (Nov. 21st) until 17 July 1346, when Amabilla does not appear and is declared to be in mercy. There the case ends. (*Case 8 a*, 1344-6.) [Altogether this case was before the Court on 73 Mondays.]

CCXXXIX.—*Plea of Dower.*

Margaret, widow of William de Horsford, claims as dower by gift of her husband, from John Mountford half a curtilage, from John de Reppes half a messuage; from William de Thirston half of a rent of 2s. and from John Calf half of a rent of 12d. They all claim a view and the case proceeds as a "placitum terre per visum." John de Reppes pleads that Margaret and her son John had quitclaimed the messuage to him and another by a deed which he produces. Margaret denies that the deed is hers. At a later stage the executors of William de Horsford say that Margaret received from them a messuage and 6 acres of land in full allowance of her share of her husband's free tenement. This she denies. The case begins on 31 January 1345 and with summonses to warrant, distrains and adjournments is before the Court every successive Monday till 23 May. Judgment goes against Margaret. (*Case 8 a*, 1345.)

CCXL.—*Delivery of Seisin to the Community by the Bailiffs.* (Translation.)

William de Middleton Sheriff of Norfolk to the Bailiffs of the Liberty of the City of Norwich greeting. I have received the mandate of the lord King in these words: "Edward by the grace of God King of England and France and lord of Ireland to the

¹ A plea wherein an Inquest (Jury) has been summoned.

² In respite, postponed.

³ A plea about land which has been viewed by a Jury.

Sheriff of Norfolk greeting. Know that the Community of the City of Norwich has recovered in our Court before our Justices their seisin against James Gloz of one shop with its appurtenances in Norwich, and against Katerine who was wife of Roger de Attelbrigge of 2 shops in the same vill, and against John Swan of one shop in the same vill by default of the said Katerine James and John. And therefore we enjoin you that you cause the said Community without delay to have full seisin of the said shops with their appurtenances &c. Witness J. de Stonore at Westminster 30th day of November in the 20th year of our reign over England and the 8th over France." Wherefore I command you that you execute this mandate (30 Nov. 1346.)

The land was taken into the King's hand. And seisin was delivered on the feast of St. Gregory the Pope in the 21st year of the aforesaid King, (12 March 1347.) in the time of Geoffrey Miniot, Richard de Poringlond, Simon de Blicling and William de Sturmere Bailiffs¹ of Norwich by Walter Ode sergeant of the said Bailiffs. (*O.F.B.*, fol. xxii., 1347.)

CCXLI.—*Proceedings in a Claim of Court. Assize of Mort d'Ancestor.*² (1377.)

King Edward III. issues a Writ to the Sheriff of Norfolk (1 May 51 E. III., 1377) to enquire into a question of disputed claim between John Dovedale knight and Agnes Gnateshall.

The Sheriff, Stephen de Hales, replies "For execution of this writ I made return to William de Bliklyng, Robert Popyngay, William de Eton and John de Multon Bailiffs of the Liberty of the City of Norwich who have return of Writs and execution thereof.⁴ And the said Bailiffs answered to me concerning the aforesaid summonses and also concerning the panel sewn to this present. Summoners Richard de Multon, John Galon. Name of the Sheriff, Stephen de Hales."

Assize of Mort d'Ancestor between John Dovedale complainant and Agnes de Gnateshale; Robert de Bonewell, Ralph Smith

¹ Appointed at Michaelmas 1346. In this case the Bailiffs acted in a double capacity. They delivered seisin to the Community as the King's officers in place of the Sheriff, and they received it as the officers of the Community through their sergeant.

² An action to recover possession of property on the death of an ancestor.

³ Appointed Michaelmas 1378. There is a very long interval between the Writ and the Sheriff's reply. Stephen de Hales was Sheriff in 2 and 3 Richard II., 1378 and 1379.

⁴ Qui habent returna brevium et executionem eorum.

(24 names in all). Summoners Walter Souter, John Chapman. Agnes Gnateshale was summoned by Richard Mille and Thomas Draper.

"This answer was given to me by William Asger, Henry Lomynor, Nicholas de Blakeney and Roger Presson, Bailiffs¹ of the Liberty of the City of Norwich who have return &c. Name of the Sheriff, Stephen de Hales."

Pleas before the lord King at Thetford of the term of St. Michael in the 3rd year of the reign of King Richard the 2nd after the Conquest. Roll lxxxvii.

Norf. An Assize comes to take cognisance whether Thomas Dovedale Knight father of John Dovedale was seised &c. And the said John by Simon Baret his attorney comes and complains that Agnes Gnateshale is deforcing him of the aforesaid tenement. And the aforesaid Agnes comes by John Drake her attorney.

"And upon this comes William Hornyng attorney of the Bailiffs of the City of Norwich for claiming and challenging their liberties² and claims liberty thereof, to wit, of having cognisance³ of the aforesaid plea before the said Bailiffs at Norwich. And it is said that the lord Edward late King of England great grandfather⁴ of the King now, for a fine which the Citizens of Norwich made with him and his Council and further for £10 to be paid yearly for ever into his exchequer and of his heirs in augmentation of the farm of their City, granted. . . . [Here is recited the Charter of 33 Edward I.⁵ confirmed by Richard II., especially the clauses about not pleading out of the city and not being estopped from any privilege by reason of non-user]. And he proffers here in Court the Charter of the said King now who witnesses the above, the date of which is at Westminster on the 26th day of February in the 1st year of his reign.⁶ And he proffers here in Court a certain Close Writ of the lord King directed to his Justices here concerning allowing the above Charter in these words "Richard by the grace of God . . . to John de Cavendysh [and others] . . . greeting. Whereas our progenitors &c. [reciting the above clauses] . . . Witness myself at Westminster on the 2nd day of December in

¹ Appointed Michaelmas 1379.

² Ad libertates suas petendas et calumpniandas.

³ Recognicionem.

⁴ Proavus. This should mean Edward II., but Edward I. is intended. The "King now" was Richard II.

⁵ No. X.

⁶ No. XV.

the 3rd year of our reign." And the said Attorney of the Bailiffs as before claims liberty thereof and because he says that both parties are citizens of the aforesaid City, after viewing as well the Charter as the Writ it is asked of the parties if they have anything to say why the said Bailiffs ought not to have liberty of the said assize, who say No. Therefore the said Bailiffs are to have their liberty thereof &c. And upon this the said Attorney fixed a day for the parties at Norwich on the Saturday next after the feast of St. Hilary. And the said Attorney is told that they must show to the said parties full and speedy justice, otherwise let them come back &c. (*Book of Pleas*, lxxi^{id}.)

CCXLII.—*Plea for the recovery of the services of a servant.*

Thomas A Herr', John le Mey and Adam le Mey are attached to answer as well to the lord King [it is not said where] as to Adam de Horsted on a plea wherefore contrary to the ordinance of the King and his Council imposing the penalty of imprisonment on anyone taking another man's servant without cause before the expiry of the term agreed, they had taken into their service Walter le Mey of Hobbesse. Walter is also attached to answer why he left the service of Adam without licence.

Thomas, John and Adam le Mey come by their attorney to the Bailiffs and claim their court.¹ This having been allowed by the King's Writ in other cases² therefore they are to have their liberty in this plea. And the Bailiffs fixed a day for the parties at Norwich on the Saturday next before the feast of St. John Baptist. They must show speedy justice to the parties otherwise &c. (*Book of Pleas*, fol. xlvii. c. 1379.)

Similar Pleas when a Mayor and Sheriffs had taken the place of Bailiffs.

CCXLIII.—*A Plea of Freshforce.*³

Pleas in the King's Court in the City of Norwich in Guyhald on Wednesday on the feast of St. Catherine, 20 Henry VIII. (25 Nov. 1528) before William Roone, Mayor, Thomas Crank and Henry Fuller Sheriffs according to the use and custom of the City of Norwich, from time whereof the memory of man exists

¹ In this case the defendants were no doubt citizens, the complainant was not a citizen.

² Quia huiusmodi libertas eis allocata fuit per breve domini Regis nunc Ut patet Termino Trinitatis anno regni Regis nunc Anglie secundo Rotulo CXLV.

³ See Custumal No. XLIX. ch. 17.

not to the contrary, used and approved in the said city according to the liberties privileges and franchises formerly granted to the Mayor Sheriffs Citizens and Commonalty of the said City and their successors by the charters of divers late Kings of England progenitors of the lord King that now is¹ &c.

Nicholas Carre Dean of the College of St. Mary in the Fields and the Canons Regular in the said place versus John Hodgys of a plea of Assize of Freshforce saying that John Hodgys wrongfully and with fresh force² had disseised them of their free tenement, to wit, 2 shillings rent out of a messuage in the parish of St. Mary de Coslany within Norwich aforesaid after the first crossing of Henry son of King John into Gascony³ and within the jurisdiction of this City. And they found pledges for prosecuting their said plaint, to wit, *John Fen, Richard Den.* Therefore according to the custom of the City a precept was issued to John Rede and William Leche sergeants of the lord King at mace within the liberty of the City and ministers of the Court aforesaid to summon 12 good men for Wednesday after St. Andrew to make recognisance, and also to summon John Hodgys by wed and safe pledge⁴ and to have the names of the recognitors. And the same day is given to the Dean and Canons &c.

At which day (2 December) John Rede and William Leche sergeants at mace and ministers of the Court returned here a panel of the names of the recognitors and testify that the said recognitors were summoned by *William Tye* and *Richard Flye*, each of whom was mainperned by *John Doo* and *Richard Roo*, and that the said John Hodgys was attached by the pledge of *Nicholas Hunt* and *Martin Blunt*.

The case was heard and adjourned to Wednesday after the feast of St. Lucy the Virgin (Dec. 16th). On that day judgment was given in favour of the Dean and Canons, with 8s. 4d. costs.⁵ (*From an Enrolment on the Court Roll of 20 Henry VIII.*)

CCXLIV.—*Pleas in the reign of Queen Elizabeth.*

Pleas held at the Guildhall of the City of Norwich before

¹ This case is noticeable for its archaic form and for the introduction of no less than 4 sets of fictitious persons, here printed in italics. ² Vi recenti.

³ Post primam transfretationem Henrici filii Regis Johannis in Vasconiam. This date, a day in 1242, was fixed in 1275 by the Statute of Westminster I. ch. 39, as the legal limitation for an action of Novel Disseisin, and it so remained till a few years subsequent to this case. Pollock and Maitland, ii. 51. ⁴ Per vadium et saluum plegium.

⁵ Thus the case was finished well within the 40 days allowed by law.

Thomas Layer Mayor, Cuthbert Brereton and Francis Morley, gentlemen, Sheriffs of the said City according to the custom of the said City used and approved . . . on Saturday viz. 20th day of December (1576).

Barbara Brasye produces a Writ of Dower "*unde nihil habet.*" A sergeant at mace of the Mayor and another of the Sheriffs are ordered to summon Robert Blakeborne to appear at the next Court before the Mayor and Sheriffs to be held on Monday Jan. 7th. On petition of defendant the case is postponed to the next court on Friday 11 January and again on Tuesday 15 January and Saturday 19 January. On Tuesday 22 January Barbara demands one third of 6 messuages. The Court is adjourned at request of defendant to Tuesday 26 February. The defendant pleads that at the time of the marriage Barbara's husband was not seised &c. After further adjournments, the case ends abruptly on Saturday, 16 March. (*Roll of Pleas in Case 8 a*, 1576.)

[Two other pleas are entered on the same roll, both of claims of dower].

CCXLV.—*Plaints made before the Sheriffs in 1606.*

A Sheriffs' Book¹ contains rough minutes of new Plaints from Michaelmas 1606 to Michaelmas 1607.

The 1st Court was held on Wednesday 1 October. They are then held regularly every Wednesday and Saturday except on Saints' Days.

The complaints are such as "de placito transgressionis super casum,"² "de placito quod reddat ei viginti libras,"³ "de placito quod reddat ei rationabilem compotum"⁴ &c. (*Case 8 b*.)

CRIMINAL JURISDICTION AFTER 1404.⁵

Sessions of the Peace and Gaol Deliveries.

CCXLVI.—*Sureties of the Peace taken before the Mayor and 4 "probi homines" between 1404 and 1452.*

¹ This Book has recently come into the possession of Mr. Walter Rye, who has placed it in the Muniment Room, where three other similar books have since been deposited.

² On a plea of Trespass on the case. A writ "on the case" was one adapted to the particular case. ³ On a plea that he should render him £20.

⁴ On a plea that he should render him a reasonable Account.

⁵ See Introduction XI., 5, 6. The minor criminal jurisdiction exercised before 1404 in the Leet Courts is dealt with separately in Introduction XII., and illustrated in the documents numbered CCCXIII. to CCCXXIV.

Sureties of the Peace¹ taken before Robert Baxter Mayor Richard Purdaunce, William Sedmen, John Mannyng and Thomas Ingham Justices of the Peace of the lord King in the city and county of Norwich. From the feast of Holy Trinity in the 2nd year of the reign of King Henry the 6th after the Conquest to the feast of Holy Trinity then next following for one whole year (18 June 1424—3 June 1425).

Mainpernors² of John Smith of Norwich Rafman³ for his peace and good conduct⁴ towards the lord King and his people and especially towards Roger Splyt of Norwich Rafman, to wit, John Folcard Grocer, John Wyghton Glasyer, William Wright fuller and John Russell lyster⁵ all of Norwich each of the said mainpernors by himself and in common⁶ under a penalty of £20. And the said John Smith for himself under the same penalty was attached on the 23rd day of June by the Mayor. (1st Court Book fol. 99.)

[A large number of such entries occur in this book. During the forfeiture of the liberties from 1443 to 1447 sureties were taken before "John Clyfton, Knight, Governor of the city" and afterwards before "Thomas Catworth warden." When the liberties were restored they were taken before "William Hempstede Mayor, Thomas Ingham, John Gerard, Robert Toppes and William Ashwell Justices from 1 December, 20 Hen. VI. (1447) to the feast of Trinity next following (June 1448)].

CCXLVII.—*A Session of Enquiry during the same period.*

Norwich. Ward of Mancroft. Inquest on Friday after the feast of St. James the Apostle in the 18th year of Hen. VI. (29 July 1440) before Robert Toppes Mayor, William Yelverton⁷ and John Gerard, Justices assigned for keeping the peace &c. Thirteen Jurors form the Inquest. Two cases of assault and robbery. are presented. At foot: "they have a day for the next Session."⁸ (Presentment Roll, *Case 8 a.*)

CCXLVIII.—*A similar Session.*

Ward Ultra Aquam. Inquest on Friday after the Nativity of

¹ Securitates Pacis. ² Manuaptores. ³ Most likely, chandler.

⁴ De pace et bono gestu suo. ⁵ Dyer.

⁶ Quilibet eorum manuaptorum per se et in solidum.

⁷ He was probably on this occasion acting as a local Justice.

⁸ Habent diem ad proximam cessionem.

the Lord, 19 H. VI. (30 Dec. 1440) before Robert Toppes, Mayor, Yelverton and his fellows; 14 Jurors.

A charge of assault by servants of the Prior on the Sheriffs' sergeant and rescue of a man arrested on a plea of debt to be tried in the lord King's Court of the said City before the said Sheriffs according to the custom of the city. There is also a charge of violent obstruction of a public way to the river; and another of robbery. All the cases are marked "m"; *i.e.* the offenders are to be punished by an amercement.

Ward of Conesford. Inquest on the same day before the same persons. These are 15 Jurors, not the same as those who had served for the Ward Ultra Aquam.

John De Heverlond, Prior of Norwich, had carried off 20 trees called "wilwes"¹ of the value of 10s. from the land of Robert Chapeleyn Mayor on the river in Conesford on Monday after the Purification in the 14th year of H. VI. There are also charges of violent entry and rape; the same charge of violent rescue as above and one of robbery. (*Ibidem.*)

CCXLIX.—*A special² Session of Enquiry.*

City of Norwich. Inquest taken before William Asshewelle Mayor of the City of Norwich and his fellows Justices of the lord King for preserving the peace in the said city and the suburbs thereof on Monday next after the feast of St. Faith the Virgin in the 20th year of King H. VI. (9 Oct. 1441) by oathe of Benedict Joly [21 persons] who say upon their oath &c.

A complaint is made that a number of persons (about 40 named) riotously at the instigation of the Prior of Norwich and Thomas Wetherby on Wednesday before the feast of St. Faith (4 Oct.) with arms &c. made assault on William Ashwell, the Mayor and a Justice of the Peace, John Gerard another Justice, Henry Sturmer and John Gosselyn the Sheriffs and 7 other citizens and beat and imprisoned them.

Three other charges of assault follow. (*Ibidem.*)

CCL.—*A Commission of Gaol Delivery³ in 2 H. VI., 1423. (Book of Pleas xliid.)*

1. The King's Commission to the Mayor and other Justices.

¹ Willows.

² An Enquiry into a special riot. See No. CCLXXXIII.

³ On the significance of the 5 Commissions here given, see Introduction XI. 6.

"Henry by the grace of God &c. to our beloved and faithful Walter Danyell Mayor of the City of Norwich, William Paston,¹ Richard Spurdance, Robert Baxter and Walter Eton greeting. Know ye that we have appointed you, 4, 3 or 2 of you (of whom we will you, William, to be one) to deliver for this turn³ our gaol of Norwich of the prisoners being therein. And therefore we command that, at a certain day which you, 4, 3 &c. of whom &c. shall provide, you assemble at Norwich to deliver the gaol, to do thereon what pertains to justice according to the law and custom of our realm of England, saving our amercements and other things belonging to us therefrom. For we have commanded⁴ our Sheriffs of the said City that at the certain day whereof you, 4 &c. of whom &c. shall inform them they bring there⁴ all the prisoners of the said gaol and their attachments before you, 4 &c. of whom &c. In witness of which thing we have caused these our letters to be made patent. Witness myself at Westminster on the 8th day of November in the 2nd year of our reign." (8 Nov. 1423.)

2. The King's Writ to the Sheriffs to produce the prisoners. "Henry &c. . . . to the Sheriffs of Norwich greeting. Know ye that we have appointed Walter Danyel Mayor [and the others as above], 4, 3 &c. of whom &c. our Justices to deliver And therefore we enjoin you that at the certain day whereof the said Mayor, William, Richard, Robert and Walter, 4, &c. of whom &c. shall inform you, you bring all the prisoners before them, 4 &c. of whom &c. at Norwich. And have there this writ. Witness myself [as above]."

3. Precept of the Mayor and other Justices to the Sheriffs to summon Juries &c. "Walter Danyel Mayor of the City of Norwich and his fellows Justices of the lord King assigned to deliver to the Sheriffs of the said City greeting. On behalf of the lord King we enjoin you that you cause to come before us at Norwich on Tuesday next before Palm Sunday next ensuing all the prisoners being in the said gaol with their attachments and all other particulars in any way touching those prisoners, and from every Constabulary⁵

¹ At this time William Paston was a Sergeant at law (*Paston Letters*, I. xxiii.). He had a house in Norwich, but he was not one of the four "probi homines" appointed as a Justice by the Mayor. He alone is to be of the "quorum," and he is evidently appointed as a legal expert. Of the other three, Spurdance was one of the local Justices. But here they are all three acting as "Justices assigned for this turn." The four local Justices are summoned to attend the Court like the Coroners and the Constables.

² Hac vice.

³ Mandavimus enim.

⁴ Ibidem venire faciant.

⁵ This word is here used of the four great Wards.

of the said City, in which the felonies for which the said prisoners have been arrested were committed, 24 as well knights as other free and lawful men who are not bound by any kinship to the prisoners¹ together with 4 men and a reeve² to do then and there what shall be enjoined upon them on behalf of the lord King. And also that you make public proclamation through your whole bailey that all who wish to sue against the said prisoners should then be there in order to sue against them as is just. And also that you inform the Coroners and the Justices of the Peace of the lord King of your County³ that they be there with their Rolls and other Memoranda to do then and there what belongs to their office in that behalf. And do you or an Undersheriff then be there to do what belongs to your office. And have there the names of Jurors Coroners and Justices of the Peace and of those by whom you have informed them, the Writ "De Intendendo"⁴ which comes to you thereon and this mandate. Witness William Paston at Norwich on Tuesday next after the feast of St. Gregory the Pope in the 2nd year of the reign of King Henry &c. (14 March 1424.)

4. The Return of the Sheriffs. We John Wright and John Hoggekin Sheriffs of the City of Norwich signify to you that we have summoned⁵ before you at the day and place contained in this precept all the prisoners And have caused to be publicly proclaimed the tenour of the precept as it demands and requires. And have informed all Coroners and Justices of the Peace by John Massanger and Nicholas Calwe as the said precept demands and requires. The Residue of the execution of this precept is patent in the Kalendar, schedule [and] panels sewn to this precept. And the Writ of the lord King "De Intendendo" which came to you thereon is sewn to this precept.

¹ Qui prisiones illos nulla affinitate attingunt.

² Prepositus, the old name of the head man of a township. Four men and a reeve had of old been required to represent a township before the Itinerant Judges, or the Sheriff, or the Coroner. A parish in Norwich fulfilled the office of a township. But a Ward was here treated as occupying the place. A reeve was not produced, for such an official was unknown in the City.

³ This description of four local Justices as belonging to a *county*, the prisoners being brought from the city gaol by the *Sheriffs*, and the order to produce representatives of townships as in an old County Court, all indicate that this high criminal jurisdiction was as yet held rather to belong to the newly-granted privileges of the citizens as a *separate county* than to be an investment of *burghal* authorities with powers they had not yet enjoyed.

⁴ The King's order to the Sheriffs to attend to the business required of them.

⁵ Venire fecimus.

Names of the Coroners, Thomas Marshall, John de Bowkes.

Names of the Justices of the Peace, Walter Danyel, William Sedman, Richard Spurdaunce, John Mannyng, John Shotesham.

Names of the Constables of the Ward of Cunsford, John Folkard, Adam Gosselin, John Dunnyng, Edward Man.

Names of the Constables of the Ward of Mancroft, Roger Cornewall, Peter Braiser,¹ William Kyng, William Burgonye.

Names of the Constables of the Ward of Wymer, Henry Maister, Roger Botoner, Edmund Fuller, Stephen Furbour.

Names of the Constables of the Ward Ultra Aquam, Robert Chapeleyn, William Iselham, John Newman, Geoffrey Swyney.

Names of the Constables of Trous, Bartholomew Blake, John Cottyng.

Names of the Constables of Spitlond, William Skolehous, Peter Syre.

Names of the Constables of Holmstrete, Roger Skypig', John Lymbrenner.

Gaol Delivery of the lord King made at Norwich on Tuesday next before Palm Sunday, 2 H. VI. (11 Ap. 1424) by Walter Danyel Mayor of the City of Norwich, William Paston and their fellows Justices of the lord King assigned to deliver the Gaol for this turn. (*Book of Pleas*, fol. xli.)

Prisoners.

John Myles Iryshman was taken for suspicion of felony because he was a vagabond &c. in the Ward of Mancroft.

John Fitzpers of Framingham in the County of Suffolk was taken for suspicion of felony in the Ward of Mancroft.

Ralph Jannys of Melton Magna, laborer Mancroft:

William Carter of Marsham laborer Ultra Aquam.

Isabella Rose of Keteringham servaunt Wymer.

Emma Russell of Northelmham, servaunt in Holmstrete; nothing found.

William Shilloke servant of John de Stokton of Norwich was taken Ultra Aquam.

John Baitrane of Norwich worsted wever Ultra Aquam.

Robert Lovell of Norwich gardener Ultra Aquam.

John Watirden of Fakenham mercer was taken for suspicion of the death of John Gryse in the Ward of Mancroft.

John Lawrance of Brysingham laborer was taken for suspicion of felony in the Ward of Conesford.

CCLI.—*A similar Commission in 6 H. VI. (1428). (Book of Pleas, fol. xliii.)*

Commission issued 10 Feb. to Thomas Rolf, William Paston,

¹ Sic Perhaps Brasier.

Robert Cavendysh, Thomas Wetherby Mayor, Thomas Derham, Robert Baxter, John Alderford and Walter Eton. Rolf, Paston or Cavendish to be of the Quorum.¹

Same day, King's Writ to the Sheriffs.

Precept by William Paston and his fellows summoning the Court for Saturday after Easter (10 Ap. 1428).

Return by the Sheriffs.

Names of Coroners, Justices and Constables.

The Justices are Thomas Wetherby, William Sedman, Robert Baxter, John Asger.

Then follows "Jury between the lord King and Thomas Usher." 25 names, of whom 12 are marked "sworn."

Gaol Delivery made by William Paston, Thomas Wetherby Mayor of the City of Norwich, Robert Baxter, John Alderford and Walter Eton Justices &c. assigned on Saturday next after the feast of Easter, 6 H. VI. (*Book of Pleas*, xliid.)

Thomas Ussher (po. se^a) of Norwich merchaunt was indicted before the Justices of the lord King assigned for keeping the peace in the City of Norwich for that the said Thomas on the night of Sunday being the feast of St. Bartholomew, 5 H. VI. (24 Aug. 1427) at Norwich in the house of the said Thomas paid to one Thomas Attehirne butcher servant of Robert Candelar butcher for malt bought by the said Thomas Attehirne 10 shillings in separate pennies and in other pennies called "pens of to pens" coined of brass called "braspens" according to the forms and similitude of pence called "Yorkpens,"⁸ saying and affirming to the said Thomas Attehirne that the said payment was of good money and lawful currency.⁴ The said Thomas Ussher knowing that the said payment was false and counterfeit⁵ falsely and fraudulently there delivered it to the said Thomas Attehirne for good payment &c. And [they say] that the said Thomas Ussher is a common utterer⁶ of such false money and a counterfeiter to the great damage and deceiving of the people of the lord King. Not guilty nor withdrew.⁷

¹ Quorum vestrum aliquem vestrum vos Thoma Rolf, Willelme, et Roberte Cavendysh unum esse volumus. ^a See p. 309, *note* 1.

⁸ x s in singulis denariis et in aliis denariis vocatis pens of to pens fabricatis de ere vocatis braspens secundum formam et similitudinem denariorum vocatorum York pens. No specimens of these base coins appear to be known.

⁴ Boni argenti et abilis monete.

⁵ Contrafactam.

⁶ Expositor.

⁷ No cul n r, non culpabilis nec retraxit, or retraxerunt. See p. 313, *note* 4.

Robert Waterman was taken by John Makke and Walter Orlager servants of the Prior of the Church of the Holy Trinity of Norwich and by the said John and Walter was delivered to John Copping and Thomas Cleter late Sheriffs of the City of Norwich "our predecessors" on Tuesday next after the feast of Holy Trinity last past (17 June 1427) for suspicion of felony at the time of the free fair of the said Prior in the said City whose body was delivered to us John Willeby and Richard Steynolf now Sheriffs of the said City by the said late Sheriffs on the feast of St. Michael last past.

There are 5 other cases of suspicion of felony.

CCLII.—*A similar Commission and series of Writs &c. in 7 H. VI., Nov. 1428. (Book of Pleas, fol. xliiii.)*

Commission issued 16 Nov. to William Paston, Richard Moneslee Mayor, Thomas Derham, Thomas Wetherby, Robert Baxter and William Yelverton. Paston and Derham to be of the Quorum.

The Court is summoned for Wednesday before St. Hilary (5 Jan. 1429). There is no mention of "4 men and a Reeve" from each Ward. The Justices of the Peace in the City are Richard Moneslee Mayor, William Sedeman, Thomas Wetherby, John Asger, John Gerard.

CCLIII.—*A similar Commission with Writs &c. in 8 H. VI., 1430. (Ibm., fol. xliiiid.)*

Commission issued to William Paston, William Godred, Robert Baxter Mayor, Thomas Wetherby, Walter Eton and William Yelverton. Paston and Godred to be of the Quorum.

The Sessions to be held on Tuesday after Palm Sunday (11 April 1430).

The 4 men and a Reeve are summoned from each Ward, and after the names of the Ward Constables are in each ward given the names of 4 men (but not a Reeve).

Then there follows a "Jury between the King and Geoffrey Grenewode of Norwich sadler." There are 25 Jurors. Not one of the 4 men from each ward is amongst them.

There are 7 prisoners tried, of whom Geoffrey Grenewode is charged as Thomas Ussher above with coining in his house "certain false pence called pens of to pens in separate pence and halfpence of brass and copper and other divers metals mixed together after the

likeness of good pence and halfpence of money coined with the stamp¹ of the lord King &c."

CCLIV.—*A similar Commission in 33 H. VI., after the Charter of 1452. (Book of Pleas, fol. lxvii.)*

Commission issued on 1 Feb. 1455, to Richard Brown Mayor, William Yelverton, Robert Toppes, John Damme, and John Jenney. Yelverton, Damme or Jenney to be of the Quorum.

The Mandate calling the Sessions for Saturday after the Annunciation (29 March 1455) is issued by Richard Browne Mayor, John Damme and their fellows. There is no mention of 4 men and a Reeve.

The City Justices are Richard Brown Mayor, John Damme [Recorder] Robert Toppe, Thomas Ingham, William Ashwell, William Hempstede, Gregory Draper, Ralph Seygreame, John Drolle.²

Seven Prisoners were charged with felony not specified; among whom were Ralph Bernyngham, of Norwich, holywaterclerke and Robert Heylott of Lesingham in Norfolk, gentelman.

Sessions of the Peace and Gaol Delivery from the close of the 15th century. (1st Court Book, fol. 8.)

CCLV.—First Session in the time of Robert Aylmer Mayor [2nd time] held at Norwich on Friday next after the feast of Corpus Christi, 7 Henry VII. (22 June 1492) before Robert Aylmer Mayor, Henry Spelman Recorder, William London, Richard Ferrar [crossed out], Robert Gardener.

Ward of Conesford with Berstrete made default as appears in their panel.

Ward of Mancroft. 14 Jurors. Presented nothing. To go without a day.

Ward of Wymer with Holmstrete. 12 Jurors. Presented nothing. To go without a day.

Ward Ultra Aquam with Normansland. 14 Jurors. Made a verdict. To go without a day.

John Buxton of Norwich weaver and Margaret his wife were summoned for the peace at the suit of Thomas Mason of Norwich

¹ Ad similitudinem bonorum denariorum et obolorum cuneo domini Regis cunatorum.

² By the Charter of 30 H. VI., instead of four persons annually appointed by the Mayor, all Aldermen who had passed the chair of Mayoralty were made Justices of the Peace. All these persons had been Mayor except John Damme, who was qualified as Recorder.

who had been delivered in bail¹ to Robert Hoo of Norwich hosyer and Thomas Philipps of the same baker till this session under penalty each of £10 and the principal of £20. [The surety] was released in full Session before the Mayor and Recorder.

Three other cases of Surety of the Peace. One of the parties is bound over to appear at the next Session after the Exaltation of the Holy Cross (14 Sept.)

CCLVI.—Session Tuesday after St. Michael 8 H. 7 (2 October 1492), before Robert Aylmer Mayor, Henry Spelman Recorder, Richard Ferror, Thomas Bewfield and others.

William Tayllour of Norwich Coryour appeared at this Session for Surety of the Peace² at the suit of John Yonge. And upon this John Bek of Norwich Grocer sen^r, John Plumsted of the same bocher, John Ringold of the same patyn maker came and mainperned³ the said William Tayllour to have his body here under penalty, each mainpernor 100s. and the principal £10. Which said John Yonge on the 24th day of October in the 8th year came before Richard Ferror, a Justice of the Peace of the lord King, deputy of Robert Aylmer Mayor and released [the security] which he had towards William Tayllour.

CCLVII.—During the Mayoralty of Robert Aylmer (*ibm.* fol. 15) John Goos of Norwich, lyster, on 27 October 8 H. 7, took his corporal oath before Richard Ferror assigned as deputy of the Mayor, he being absent, that he will not do or cause to be done any damage or harm to William Gylbert of Norwich draper.

CCLVIII.—Session Wednesday after the feast of Epiphany 8 H. 7, 9 Jan. 1493. (*ibm.* fol. 10.)

Jurors present from Wards of Ultra Aquam, Mancroft and Conesford. No business entered.

Session Wednesday after Passion Sunday (27 Mar. 1493.)

One combined Inquest from the 4 Wards. 16 Jurors. They have nothing to present and are discharged⁴ by the Mayor and Recorder.

In the time of Robert Long Mayor, 1 H. VIII. (1st Sessions Book).

CCLIX.—Session of the Peace to enquire concerning routs, riotts and other misdoings held in Guyhald there the 22nd day of

¹ Traditus fuerat in ballium.

² Pro securitate pacis.

³ Manuceperunt.

⁴ Exonerati.

June in the 1st year of Henry VIII. before Robert Long Mayor, Robert Burgh and Gregory Clerk Justices.

And this Session was ordered for the matter and affray¹ touching the servants of Robert Brandon Knight.

On this is charged an Inquest of 16 Jurors. And they have a day to the next Session of the Peace after the feast of St^t Margaret the Virgin (13 July). And they were attached under a penalty of 25s. each.²

CCLX.—Session of the Peace to enquire concerning routs Friday after the feast of St^t James the Apostle (27 July 1509) before Robert Long Mayor, William Ramsey, John Rightwys, Robert Burgh, Gregory Clark and Thomas Aldrich Justices at the instance of Edward Rede one of the Sheriffs versus Hansard and Hansard and to enquire concerning all other misdoings.

An Inquest is taken of 12 Jurors as in the panel. And they have a day to the next Session of the Peace, on Monday after the feast of St^t Laurence under penalty of 6s. 6d. Four Bills were delivered to the Inquest in full court at the hands of William Davy to enquire &c. and because they did not agree they brought their bills on the next day and they were delivered to the Court to deliver to the Inquest by Roger Townshend “*legis peritus*.”

On that day John and Edward Hansard, who had been attached under bail for this day, appeared to answer for riots “committed within the city within one month.”³

CCLXI.—Session &c. Monday after St^t Laurence (13 Aug. 1509) before Robert Long Mayor, James Hobart Recorder, John Rightwys, Robert Burgh, Gregory Clerk Justices.

A Jury of 13 was returned by the Sheriffs for the whole Session as appears in the panel, “which Jury was summoned to take the charge⁴ of enquiring by the Justices, but they are respited from taking the charge for divers considerations moving the Court by Roger Tounshende ‘*legis peritus*’ until the coming of the Justices of Assizes” &c. And the Session is adjourned so far as the matter between the Sheriff and Hansard. And the aforesaid Jury had a day as in the panel.

CCLXII.—Gaul Delivery held there in the Guildhall of the City on Thursday next after the feast of St^t Matthew (27 Sept. 1509) before Robert Long Mayor, James Hobert Knight Recorder &c.

¹ *Matera et affraia.*

² *Sub pena capitis xxvs.*

³ See No. CCLXXIV.

⁴ *Onus.*

John Drake appeared as he had been bailed at the last Delivery upon the appeal of John Bawe for robbery. Upon this for divers considerations moving the Court he was delivered in bail to Thomas More of Norwich draper and Richard Thorne of the same Innholder to appear at the next Gaol Delivery.

At a Session of the Peace held the same day 2 of the Jurors bound at the Session on Monday after St^t Laurence made default ; the rest to go without a day.

CCLXIII.—Sessions of the Peace. . . . Friday after the Epiphany (10 Jan. 1510), before Robert Long Mayor, James Hobart Recorder, John Ryghtwyse, Robert Burgh, Gregory Clerk.

Jurors present from 4 Wards, Conesford 17, Mancroft, Wymer and Ultra Aquam, 15 together, make a verdict. To go without a day.

Gaol delivery the same day before the Mayor, the Recorder, Ryghtwyse, Burgh, Clerk, Francis Calibut and William Stubbs Justices as appears in the Kalendar.

Adjourned as appears there.

During Mayoralty of Richard Brazier, 2 H. VIII. (1st Sessions Book).

CCLXIV.—Session to enquire concerning routs, riots &c. (16 Aug. 2 H. VIII., 1510), before Richard Brasyer Mayor, James Hobart Recorder, Robert Long, John Rightwyse.

A Rafman committed to prison for opprobrious language in full court.

Session to enquire &c (8 Oct. 1510) before Ric. Brasyer Mayor, Robert Long, Robert Burgh, Gregory Clerk.

Held for an affray made on 4 October between William Hert Alderman and John Corbett. Adjourned.

Session of the Peace and also to enquire into divers felonies &c. (No date is given.)

A riot had taken place in a house.

CCLXV.—Gaol Delivery of the lord King in the Guildhall on Thursday after the Epiphany 2 H. VIII. (9 Jan. 1511) before Richard Brasyer Mayor, James Hobart Recorder, John Rightwyse, Gregory Clerk.¹

William Gryse of Brockdish pays a fine for riots and affrays ;

¹ Perhaps this was a Preliminary Session of Enquiry before the formal gaol delivery five days later as in next entry. See Jeaffreson, *Middlesex County Records*, I., xxiii.

2s to be paid to the Chamberlain towards repairs of the walls. John Gryse the same.

Names of Prisoners.

Sus. John Hobbes formerly of lygate in County of Suffolk plomer.

Q^{ts} John Kelles formerly of Norwich, couper.

7 persons indicted "for suspicion of felony."

The Gaol Delivery is adjourned till Tuesday after St. Hilary (14 Jan.) at Norwich.

CCLXVI.—Gaol Delivery Tuesday after St. Hilary (14 Jan. 1511) before Richard Brasyer Mayor, James Hobart Knight Recorder, John Rightwys, Gregory Clerk, and others Justices of the lord King, assigned to deliver this time³ the gaol of the prisoners being therein.

Names of the Prisoners.

Hobbes and Kelles are entered as at previous Session. Above Kelles is written "nec r."⁴

Also the 7 suspected persons as before.

Adjourned to [day not named] after St. Ambrose (4 April) at Norwich.

CCLXVII.—Gaol Delivery Thursday after St. Ambrose (8 April 1511) before Richard Brasyer Mayor, James Hobart Recorder, Gregory Clerk &c.

Five persons, previously bailed, appeared.

Three persons suspected of felony are sworn and liberated.

Sessions adjourned to Wednesday after Trinity.

On 4 April, 4 May and 17 May persons are bound over to answer charges or pay fines. No Court is mentioned or names of Justices.

In time of Richard Aylmer Mayor 3 H. VIII. (1st Sessions Book).

CCLXVIII.—Gaol Delivery of the lord King Wednesday after Trinity 3 H. VIII. (18 June 1511) before Richard Aylmer Mayor, James Hobart Recorder, Richard Brasyer, Gregory Clerk.

No Prisoners or Suspects. Sureties of the Peace are dealt with, but "Sessio Pacis" is not mentioned.

¹ Posuit se [in patriam], he put himself on a jury; culpabilis, he was found guilty; catalla nulla, he had no chattels; suspensus, he was hung.

² Quietus, he was acquitted.

³ Hac vice.

⁴ See No. CCLXXII.

Gaol Delivery Thursday after St. Matthew (25 Sep. 1511) before James Hobart Recorder. No other Justice mentioned.

A release of Surety is made before Robert Long. No Prisoners. All Surety of Peace business.

Gaol Delivery Thursday after St. Hilary (14 Jan. 1512) before Richard Aylmer Mayor, James Hobart Recorder, John Rightwyse, John Aldrich, Robert Long, Francis Calybut.

Nine persons bound to appear, chiefly at Trinity Session.

Eight suspects. Two persons indicted.

Adjourned to Thursday after Dominica in Albis. [Sunday after Easter.]

Gaol Delivery Thursday after Dominica in Albis (22 Ap. 1512).

Sureties of the Peace dealt with.

CCLXIX.—*Commission to hold a Session of Gaol Delivery in the time of Henry VIII. (1521).* (1st Bundle of Sessions Files, Case 11.)

(a) Royal Writ appointing John Clerk Mayor, William Elys,¹ a Baron of the Exchequer and 6 citizens (the Mayor, Elys, John Spelman or Francis Mountford to be of the Quorum) to hold a Session of Gaol Delivery.

(b) Writ to the Sheriffs. Henry by the grace of God to the Sheriffs of our City of Norwich greeting. We enjoin you that you omit not on account of any liberty of your County to summon before our Justices assigned to preserve the Peace also to hear and determine divers felonies at Norwich in the County of the aforesaid City on Tuesday next after the feast of St. Gregory the Pope next coming 24 good and lawful men of the Ward of Conesford and Berstrete with Troues, 24 of the Ward of Mancroft, 24 of Wymer, 24 of Ultra Aquam from your bailey to hear do and receive those things which on our behalf shall then and there be enjoined upon them. And that you have there this writ. Witness John Clerk Mayor of the City aforesaid and one of our Justices aforesaid on the 27th day of the month of February in the 12th year of our reign (1521).

In accordance with the above Commission a Session of Gaol Delivery² was held on Wednesday before St. Gregory (6 March)

¹ William Elys was probably sitting as a local justice. He was Recorder about this time, and was succeeded by John Spelman. Francis Moundford had just been appointed the 1st Steward of the City to act as Judge in the Sheriffs' Court, and to advise the Common Council.

² In 1630 a similar set of Writs was issued for what is there called a "General Session of the Peace" to be held on Monday, 20th September. (Bundle of Session Files.)

before John Clerk Mayor, William Elys, John Spelman, Thomas Aldrich, Robert Longe, Robert Jannes and John Marsham Justices. (1st Sessions Book.)

CCLXX.—*A special Commission of "Itinerant Justices" to hold a Session of Oyer and Terminer in the time of Henry VIII. 1524* (Translated from the *City Domesday Book*, fol. 91d.)

Robert Brudenel Knight, Richard Crook Knight and their fellows Justices Itinerant¹ of the lord King assigned to hear and determine all liberties and franchises within the County of the City of Norwich to be claimed had and allowed²; and also the complaints of all persons whatsoever wishing, as well for the said lord King as for themselves, to complain concerning all bailiffs and other ministers of the liberties and franchises aforesaid; and also all common pleas, trespasses and other misdoings committed within the said County; to the Sheriffs of the said County greeting. On behalf of the lord King we enjoin and command you that in the said County you cause to be publicly proclaimed that all who have or claim to have and enjoy any such liberties and franchises within the County aforesaid be before the said Justices at the Guildhall of the City of Norwich in the said County on the Morrow of the Nativity of the Blessed Mary the Virgin next coming [Sep. 9th] to claim and to prosecute the said liberties and franchises according to the laws and customs of the realm of the said King.

All intending complainants or prosecutors of suits are to be summoned to be at the Guildhall on the day named. The Sheriffs are to call 24 good men from each ward to ascertain the truth &c. and to be there themselves with panels of the Jurors and the precept. Dated [no place mentioned] 24th day of July 16 H. VIII.

The above Commission did not interfere with the ordinary course of Justice in the City. A Gaol Delivery held before the Mayor and Recorder on Wednesday after Trinity was adjourned to Tuesday after Michaelmas when another similar Gaol Delivery was held. No mention is made of any proceedings on Sept. 9th.

CCLXXI.—*Days and Titles of Sessions in the time of H. VIII.* (From the 1st Sessions Book.)

1.—In Mayoralty of Thomas Bawburgh, 1530-1.

Gaol Delivery and Session of the Peace. Wednesday after Trinity.³

¹ Justic' Itinerantes.

² Clamand' habend' et allocand'.

³ The "Wednesday after Trinity," on which a new Mayor's 1st Session was held was the day after he had entered on his office.

Gaol Delivery	Tuesday after Nativity of S ^t Mary.
Session of the Peace	Tuesday after Epiphany.
Session of the Peace	Tuesday after Dominica in Albis.

2.—In Mayoralty of Edward Rede (2), 1531-2.

Session of the Peace	Wednesday after Trinity.
Gaol Delivery and Session of the Peace	Wednesday aft. Nativity of S ^t Mary.
Session of the Peace	Wednesday after Epiphany.
Session of the Peace	Saturday in Easter Week.
Gaol Delivery and Session of the Peace	
(Rede still Mayor)	Tuesday after Trinity.

3.—In Mayoralty of Robert Ferror (2), 1536-7.

Session of the Peace	Wednesday after Trinity.
Gaol Delivery and Session of the Peace	Wednesday after S ^t Matthew.
Session of the Peace	Tuesday after Epiphany.
Gaol Delivery and Session of the Peace	Tuesday after S ^t Matthias.

4.—In Mayoralty of William Layer, 1537-8.

Session of the Peace	Wednesday after Trinity.
Gaol Delivery and Session of the Peace	Monday after S ^t Matthew.
Session of the Peace	Friday on S ^t Thomas.
Session of the Peace	Friday after S ^t Ambrose (4 Ap.).

After the 16th century "Gaol Delivery" ceases to occur in the title of the Sessions. They are called "Sessions" or "General Sessions." Added below in a separate heading is generally "Also Session for hearing and determining divers felonies &c." [Sessions of Oyer and Terminer]. The title "Sessio Generalis Quarterialis" first occurs on 17 January 1689.

CCLXXII.—*A Session of the Peace in the time of Philip and Mary.* (3rd Sessions Book.)

Session of the Peace of our lord the King and our lady the Queen held on Thursday next after the feast of the Epiphany of the Lord in the 1st and 2nd year of the reigns of Philip and Mary (10 Jan. 1555) before Thomas Marsham Mayor, Thomas Gawdye, Sergeant at law, Recorder.

Names of Prisoners.

po sel	ideo ve fa ²	nō cul'	nec r'
--------	-------------------------	---------	--------

Johanna Johnson late of Norwich, spynster taken for suspicion of felony.

po se	ideo ve fa	nō cul'	nec r'
-------	------------	---------	--------

Thomas Manne late of Norwich Smythe taken for suspicion of felony.

¹ See *ante*, p. 309, note 1.

² Ideo venire facias [xii bonos et legales homines], therefore summon twelve good and lawful men to form a jury.

po se ideo ve fa nō cul' nec r'

Henry Chadwycke of Norwich Laborer taken for suspicion of felony.

The present Session is adjourned till the morrow, to wit, to Friday at 7 before noon &c.

On which day the Sheriff returned a panel of the names of 24 good and lawful men &c. to enquire between our lord the King and our lady the Queen on the one part and Henry Chadwyk of Norwich, laborer, Thomas Manne of Norwich Blaksmyth and Johanna Johnson of Norwich Spynster, prisoners led to the Bar.¹ Of whom appeared 12, to wit, by John Fysshemman &c. as appears on the file.² Who being so chosen, tried and sworn say upon their oath That the said Henry Chadwyk, Thomas Manne and Johanna Johnson and each one of them by himself [or herself³] are not guilty nor is any one of them guilty of the felonies specified in the indictments. Nor have they withdrawn themselves nor has any one of them withdrawn himself.⁴ And consideration being had by the Court the said Henry, Thomas and Johanna and every of them were discharged of the felonies whereof they had been accused. And they may go hence without a day.

CCLXXIII.—A General Session of the Peace in the time of Queen Elizabeth. (5th Sessions Book.)

General Session of the Peace in the Guildhall on Monday 26 September, 22 Elizabeth, before Christopher Some Mayor Robert Woode Knight, Edward Flowerdew sergeant Recorder elect, Richard Davye Esquire Steward of the court of the Sheriffs, Simon Bowde, John Aldriche, Thomas Sotherton, Thomas Peck and Thomas Layer, Justices of the Peace of our lady the Queen. (26 Sept. 1580.)

Names of Prisoners.

William Carwood⁵ alias Barker for suspicion of felony by precept⁶ for two geldings is adjudged to be hung.

¹ Prisonarios ad barram ductos.

² Ut patet in infilacione.

³ Per se.

⁴ Nec se retraxerunt nec eorum aliquis se unquam retraxit. This expression, which occurs in connection with a verdict of "Not guilty," is discussed by Mr. Cordy Jeaffreson in *Middlesex County Records* II., xxx. Quoting Jacob, *Law Dictionary* s. v. verdict, he says it means that the jurors did not retract (but held to) a verdict of "Not guilty." It appears that such a change of verdict, though allowed, was very rarely taken.

⁵ Over Carwood is written "posuit se, culpabilis, bona catalla terre tenementa nulla." The same without "lands and tenements" over Styrche.

⁶ Per preceptum. These is nothing to show whose or what order is meant.

John Styrche for seizure and abduction of two ewes (vj*d.*) and two lambs (ij*d.*) of one Barnard Utber, price ix*d.*, is adjudged to be whipped to-morrow in the market.

Three others whipped.

CCLXXIV.—*A Session of Enquiry in the time of Elizabeth, 1564.* (4th Sessions Book.)

Session to enquire of and upon all and singular Riots, Routs, brawlings, assaults, affrays, unlawful conventicles and other misdeeds within the said City [committed] within one month last past according to the form of the Statute¹ thereon issued and provided, held in the Guildhall of the City on Thursday, to wit, the 13th day of the month of January in the 6th year of the reign of our lady Elizabeth &c. before Robert Davy Mayor of the City, Thomas Gawdy sen. Recorder, William Faror, Richard Fletcher, Robert Mychell and William Myngaye Justices.

CCLXXV.—*Two Sessions in the 17th Century, 1611-2.* (8th Sessions Book.)

General Session of the Peace Monday 16 December, 9 James, 1611, before Thomas Angwyshe Esquire Mayor, Robert Houghton sergeant at law Recorder, Richard Gwynne Esquire Steward Also Session to hear and determine [Session of Oyer and Terminer] by virtue of the Commission of the lord King held here on the day and year aforesaid before the said Mayor and Justices [being] Justices of the lord King to hear and try concerning all treasons, misprisions as is contained in the Commission dated on the 21st day of November.

Jonas Gouldsmyth	} To be executed. ²
Henry Yaxley	
Robert Bloye	

General Session on Monday 6 April. 10 James, 1612 before Thomas Angwyshe Esquire Mayor, Robert Houghton sergeant at law Recorder, Richard Gwynne Esquire

¹ By 13 Henry IV., ch. 7, Justices of the Peace were required, on hearing of a riot, to proceed at once to the spot and, if the rioters had fled, to summon a jury to enquire into the matter within one month, being liable to a charge of neglect if they exceeded that time.

² There is no trace of these and similar capital sentences at this time being reserved for any higher court. See Introduction XI., 6.

Steward, John Pettus Knight, Richard Ramsey, Thomas Pye. John Tesmond, Joshua Culley and Gregory Downynge

Calendar of Prisoners.

William Ellis and	}	To be executed.
Alexander Figg		
Margaret Throman	}	Acquitted of felony to be delivered.
Rob ^t . Mansfield		
Katherine Richardson		
John Gunne		
John Gunne	}	To be whipped for petty larceny.
Margery Parker		
John Moskye to be reprieved in Gayle.		

POLICE AND CORRECTIVE JURISDICTION.

[Before 1404 petty offences and breaches of local custom were dealt with in the Leet Courts under the Bailiffs. A special section is devoted to this jurisdiction (Nos. CCCXIII. to CCCXXIV.). After the XVth century it was chiefly in the hands of the Aldermen in the Court called the "Mayor's Court" or the "Court of Aldermen."

The proceedings of this Court are contained in a series of books called "Court Books." The first, however, besides many things connected with Masters of Crafts, Assize of Bread &c. which may have been controlled by the Aldermen, contains mostly the Sessions business of taking Sureties of the Peace.

The earliest notices of business transacted by bodies called "Congregacio (or Convocatio) Aldermannorum" are in a book called "The 1st Book of Worstead Weavers" which appears to have been used as a rough Minute book at the close of the XVth century. The formal records of the Court begin with the second Court Book early in the 16th century.

The Extracts here given are intended mainly to furnish a sketch of the Court and its mode of proceeding. The matters dealt with, being so largely concerned with the social and commercial life of the citizens, will find a more appropriate place in our second volume.]

Proceedings of the Court of Aldermen.

CCLXXVI.—*Convocacio Aldermannorum* viz. in festo sancte Katerine virginis anno regni regis Henrici viij tercio ibidem tenta coram¹ Ricardo Aylmer Maiore Ciuitatis predicte, Ricardo Brasier Gregorio Clerk Thoma Aldrich et [Roberto] Long. (25 Nov. 1511.)

¹ Though, as noticed below (No. CCLXXXI.) the meeting of Aldermen is not permanently called a "Court" till after this date, the idea is evidently present in the mind of the clerk in this and some other entries. As they stand, the entries are hardly sense. The "Convocation of Aldermen" meets "in the presence of" themselves. No. CCLXXVIII. is in correct form. See Introduction XI., 7.

On which day was examined a certain Bill of Orders made for the craft of Worsted wevers . . . by the Masters of the said craft which bill is annexed to this parchment. (2nd Court Book, fol. 3.)

CCLXXVII.—*Convocation of Aldermen* on Monday on the Vigil of the Epiphany, 3 H. VIII. (5 Jan. 1512) before Richard Aylmer Mayor, John Rightwys, Robert Burgh, Gregory Clerk, Thomas Aldrich, Robert Belle Sheriff, Edward Rede, John Clerk.

John Corbet saieth that one Agnes Hamond Singylwoman dwellyng w^t Robert Brown on [?]¹ last past at nyght said to the wiff of the said Corbet that the said Corbet should [?] a traytour and the said Corbet hard thes said wordes spoken . . . The said Agnes examined of the premysses saieth that she never said any such wordes . . . by the said John Corbet or that she knoweth any treason by any servants of the said John . . . resorters to the said John nor by any other persones but she saieth that one . . . sue fals wrytts ayenst one Hotoft nowe beyng in prison wherby he is kept still and . . . she said.

Mem. Sir Jamys Hobart [then Recorder] hauyng full knowledge of the said examynacion counseleth the said Maier that he nedeth not to medle further.

CCLXXVIII.—*Convocation of Aldermen* viz. of Richard Aylmer Mayor, Richard Brasier, Gregory Clerk, Robert Belle, Thomas Waryns, Robert Beste, on Saturday 10 January 3 H. VIII., 1512. (2nd Court Book, fol. 4).

A jury of 12 persons being sworn to give a verdict on a question whether a servant had departed from his master's service unlawfully answers that he has done so and assesses damages at £10 and 8 pence for costs.

CCLXXIX.—*Convocation of Aldermen* 14 January [1512] viz. Richard Aylmer Mayor, Richard Brasier, John Ryghtwys, Gregory Clerk, Thomas Aldrich, Robert Long, Robert Belle, William Boydon, Thomas Waryns, John Randolff, William Hert, Robert Beste, Edward Rede, Henry Mere and John Marsham. (*ibm.* fol. 6.)

A letter is read from John Clerk Alderman and Robert Haridaunce, Citizens elected for the parliament then sitting in

¹ Much of this statement is quite illegible.

London, reporting that a monk of the Cathedral was attending on the Lord Chancellor, the Archbishop of Canterbury and the Bishop of Norwich, whether in respect of disputes between the City and the Priory they do not know. Also that the Masters of the Worstedwevers in the City and the Country were in London complaining that they were hindered from levying their fines by the Mayor's sergeants.

Replies were ordered to be sent.

Examination on 17 Feb. (same year) by the Mayor [no "Convocatio" mentioned], held before Robert Beste Alderman.

Misdoings of an apprentice. (*ibm.* fol. 7.)

CCLXXX.—*Convocation, etc.* on 12 March (same year), Richard Aylmer Mayor, James Hobart Knight, Recorder, John Rightwys, Robert Burgh, Gregory Clerk, Robert Long, Edward Rede and John Marsham. (*ibm.* fol. 8.)

Passed some ordinances of worsted weavers.

Convocation 19 April Richard Aylmer Mayor, Richard Brasier, John Rightwys, Robert Burgh, Robert Long, Francis Calybut, Robert Belle, William Elys.

Discussion about holding musters. Some treasonable words spoken by a Frenchman against the King.

A demand of the King for soldiers met by provision of 20 men.

Convocation Saturday 25 May 4 H. VIII. (1512). Richard Aylmer Mayor, William Hert, John Rightwys, Gregory Clerk, Richard Brasier, William Bogeon, John Randolph, Thomas Large, Thomas Waren, John Swayn, Thomas Clerk, Robert Best, Robert Brown, John Marsham. (*ibm.* fol. 10.)

Ralph Wylkyns was sworn into the estate of Alderman of the City.

CCLXXXI.—[About this time the "Assembly" of the Mayor and Aldermen is first called a "Court," but not always.]

Court held there on Saturday the feast of St. Anne 8 H. VIII. (26 July 1516) before Thomas Aldrich Mayor (no other names are given). (*Court Book* 2.)

Pleas of Apprenticeship are tried. A Jury decides an issue.

[In 1534-6 (*Court Book*) the title "Convocatio Aldermanorum" is still used. The Assembly met at irregular times; thrice in Jan. and June, not at

all in Oct. and Nov., once in each other month. The meetings were all on Wednesday and Saturday except on Monday 3 May, an important day in the Municipal year.]

1542, 15 Nov. 34 H. 8 (*Court Book 4*). *Court of the lord King*¹ held in the Guildhall there on Wednesday before William Roger Mayor and others.

Only business a piece of ground let.

Same year, 22 Nov. *Convocation*, etc.

„ „ 29 Nov. *Court of the Mayor and Aldermen viz.*, William Roger Mayor, etc.

1543, 21 March *Court of Convocation of Aldermen*, etc.

„ 31 March *Court of the lord King*, etc.

1549 (*Court Book 6*) 23 Nov. 3 Ed. VI. *Court of Master Thomas Codde Mayor* held in the Council Chamber of the Guildhall.

[Towards the close of this century the permanent title becomes "Curia Maioratus" and about 1654 "The Court of Mayoralty" in English.]

CCLXXXII.—*The Court of Aldermen and the Court of Sessions of the Peace.*

Court of Mayoralty held there on Saturday 7 May in the 22nd year of the reign of our lady Queen Elizabeth (1580) before Simon Bowde Mayor, Christopher Some new elect, John Alldriche Thomas Sotherton, Thomas Grene, Thomas Pecke, Nicholas Baker, John Suckelynge, Thomas Gleane, Richard Bate, Thomas Gooche, Robert Gostelynge, Francis Rugge, John Sotherton, Richard Baker, Nicholas Sotherton and Thomas Petwys alldremen.

Robert Cappes whoe lately dyd casuallye hurte a chielde in discharginge a gonne cheargede with paper is commytted to prison until fiende sureties to appear at the nexte Session.

[Entry in *Sessions Book* same day] Robert Cappes and two others bound in £20 to appear at next Session.

[*Sessions Book*] General Session of the Peace, 30 May, before Simon Bowde Mayor, Edward Flowerdew Esquire Recorder, Christopher Some new elect, Robert Wood Knight, John Alldrych, Thomas Sotherton, Thomas Pecke and Thomas Leyer, Justices of the Peace of the said city.

Robert Cappes appears and is discharged.

¹ The Court of the Mayor and Aldermen was not, in any true sense, a "King's" Court. This occasional title must be due to a confusion between its function and that of the Court of Sessions of the Peace, arising from the fact that several Aldermen belonged to both Courts.

CCLXXXIII.—[*Court Book*] At a Court held 13 April 22 Eliz. (1580) Thomas Ebbottes was committed to prison for using slanderous words against Mr Mayor.

At a Court held 16 July it was ordered that he should not be delivered until he find surety to appear at the next Session.

An entry in the Sessions Book records that he was bound the same day.

After several imprisonments, at a General Session of the Peace on 26 Sept. (same year), Thomas Ebbotts who had been bound to appear when summoned and meanwhile to maintain good conduct "appeared and was discharged by proclamation."

EXTRACTS FROM DOCUMENTS RELATING TO LITIGATION IN THE 15TH CENTURY.

I. City Jurisdiction in the Suburbs and Hamlets.

CCLXXXIV.—A. *Plea between the Prioress of Carrow and the Prior of Holy Trinity.* 1416. (See Introduction VI. 2.)

Book of Pleas,
fol. xxxviii d.

Trinity Term 4 Henry V.

Norwich. Robert¹ Prior of Holy Trinity of the said County and Brother Thomas Roughton of the same are attached to answer to Editha² Prioress of Carrowe in the said county, wherefore certain cattle of hers found at Carrowe were driven to Lakenham in the County of Norfolk and there impounded till the Prioress made fine with 40s. . . .

The Prior and Thomas appear in person and deny force etc. They plead that Editha is wrongly described as Prioress of Carrowe in the *County* of Norwich, for Richard I. granted the *City* of Norwich to the citizens, which [city] was in the County of Norfolk till Henry IV. separated it and made it a County of itself, by colour of which grant the citizens claim jurisdiction over Carrowe as "within a parcel of the City of Norwich."³ They [Prior and Thomas] say that Carrowe is in the parish of Bracondale which is in the County of Norfolk and was never in the City of Norwich. . . .

[After several postponements] on the Octave of St. Martin in November 1417 at Westminster a Jury of 24 Knights from the venue of Carrow is sworn and gives a verdict that "on the day of Henry IV.'s charter Carrow was parcel of the City of Norwich."⁴

¹ Robert de Burnham, Prior from 1407-1427.

² Edith de Wilton.

³ Clamant predictam libertatem infra predictum locum vocatum Carrowe ut infra parcellam ciuitatis predictae.

⁴ Fuit parcella ciuitatis Norwici in et de ciuitate et libertate eiusdem.

Book of Pleas,
fol. xxxixd.

CCLXXXV.—B. *The Prioress of Carrow attached for Murder.*

Pleas before the King at Westminster, Michaelmas Term, 1416.

Editha Prioress of Carrowe and Agnes Gerbald, a nun, are attached to answer to Margery, widow of William Koc of Troues, with William Coteham and 6 others concerning the death of the said William, whereof Margery appeals them in her proper person; for that William was in the peace of God and the King at Lakenham on Friday after the Assumption in 3 H. V. [16 Aug. 1415] at 8.0 at night; then came the aforesaid persons whom Margery would appeal of the death if they were present, as felons of the Lord King, with guile and premeditated assault etc. and William Coteham with a spade called a molspade¹ struck William a mortal blow on the head whereof he died, and John Feversham with a staff struck him another mortal blow on the head whereof he would have died if he had not died of Coteham's blow and William Wright with a staff struck him on the back a mortal blow whereof he would have died if he had not died of the other 2 blows and Thomas Grenefeld struck him on the head another mortal blow whereof . . . the other 3 blows. The Prioress and Agnes well knowing these felonies and murders harboured the parties. Margery pursued² the murderers to the 4 neighbouring townships.

On 8 August 1416, the Prioress and Agnes come in their proper persons and deny etc. They plead that on the day of Margery's writ Carrowe was in the City of Norwich and not in the County of Norfolk.

On 21 May 1417, the Sheriff of Norfolk reports that the appealed persons are outlawed. The Court is not yet avised whether the case is triable in Norfolk or Norwich.

At Michaelmas the Court decides that the case is triable in Norfolk.

On 1 July 1418 a Jury gives a verdict that Carrow is not in Norfolk and the Prioress not guilty.³

Book of Pleas,
fol. xxxv.

CCLXXXVI.—C. *Alleged Encroachments on the King's Geldable*⁴—
1415-1418.

By writ of the King an Inquest is held on 7 October 1417 at Cringelford by Edmund Oldhalle, the King's Escheator in Norfolk. A presentment is made by 6 Jurors⁵ that King Henry IV. by his letters patent granted to the citizens and commonalty of Norwich . . . to be separate from the County of Norfolk . . . All the hamlets are wholly in and of the County of Norfolk and the City has no hamlets or suburbs save one outside Heigham Gates. They make the following indictments :—

¹ Cum quadam vaua vocata molspade.

² According to proper form, with hue and cry.

³ In the course of this case the Prioress was arrested and put in prison.

⁴ All the country which was not within any exclusive liberty, liable to the King's tax.

⁵ Probably of the County of Norfolk.

1. The Citizens in 3 Hen. V. had illegally gone out of the City into Bracondale to hold an inquest on the body of William Coke¹ and compelled a jury to serve and had carried off the body for burial.

2. Also the same on the body of a youth found in a claypit in Bracondale in 4 Hen.

3. In 4 Hen. V. they had received wrongfully a certain plaint of debt and compelled certain persons resident in Bracondale and never in the City to be impanelled on a jury and when they did not answer the summons had taken ameracements from them, 6*d.* each, and from one a pair of shoes of the value of 7*d.*

4. In the same year in a case of contract they had attached and imprisoned Thomas Bunche of Bracondale.

5. In the same year the Sheriff and Mayor and many others armed with staves and swords etc. had gone fishing to the fishery called Troues Ee² and with "dragges" and other nets had caught pike and roach³ to the value of £10 and carried them to Norwich and as they walked to their own homes they sang and shouted with loud voices "We are in possession by right and by our liberties of this City of Norwich we have caught them and kept them,"⁴ and they distributed the fish among themselves and the rest of the Commonalty in perpetual memory of the above, by colour of their liberties in contempt of the Lord King.

6. On 3 October 3 Hen. (1415) "Thomas Growte of Norwich yoman Qwarell of Norwich yoman John Fort William Parker hirdeler Bartholomew Dowe of Norwich sherman Robert Fletcher of Norwich yoman Richard Ryston of Norwich yoman William Couteshale of Norwich fuller Richard Furbysshor of Norwich yoman Giles Sporier of Norwich Sporier and Roger att Dam of Norwich yoman Jurors or Capital Pledges⁵ of the Sheriff's tourn with the assent command and precept of the then Mayor" had affeered the Prior at an amercement of 100 shillings for making ditches and trenches⁶ in a meadow on the Thorpe side of the river and in default of the 100*s.* had seized 4 of his horses valued at £10, sold them and turned the money to their own use.

7. "Also they say that the citizens and commonalty of the said city neither have or ought to have view of frankpledge, sheriff's tourn or any other lordship or privileges outside the ditch of the said city and the suburb outside Heghamyates nor within the ditches in divers places specified

¹ As recorded in the last document.

² Troues Water.

³ Dentrices et rochis.

⁴ Altis vocibus cantando clamaverunt Nos sumus in possessione de jure et libertatibus nostris huius Ciuitatus Norwici cepimus et continuauimus.

⁵ See the Chapter on "Leet Jurisdiction," Introduction XII.

⁶ Foveas et trenchas.

below [as the Castle and the Shirehouse, the Monastic precinct, St. Paul's Hospital, the lands from the land of the Bishop to the river Wensom and from the bridge of St. Martin to the land of St^e Michael for that the said citizens and commonalty have no view of frankpledge liberties or privileges except by grant of Richard formerly King of England the first after the conquest and the Kings of England succeeding him,¹ which said Richard formerly King by his letters patent dated the 5th day of May in the 5th year of his reign granted to the citizens of Norwich and their heirs certain liberties and privileges together with the city of Norwich at fee farm, rendering therefor to his exchequer a certain farm of money specified in the said letters. And they say that long before the time of the said King Richard William formerly King of England [the second] by his letters patent gave to Herbert the Bishop the said place and the lands contained in the said letters to make his church and to make houses for himself and his monks,² and this with soke and sake and all other customs. Which Herbert in the said places . . . afterwards founded . . . the Priory of the Church of the Holy Trinity of Norwich. . . . And they say that the Lord Henry formerly King of England the first after the Conquest long before the time of the said King Richard when that which is now called the city of Norwich was and by record was called the burgh of Norwich³ and was entirely⁴ in the hands and possession of the said King Henry gave to the Prior and Church . . . the said place from the land of the Bishop And the progenitors of the King now, long before the time of King Richard, gave to the predecessors of the Prior now . . . the place called Poulis Hospital as in divers letters patent is fully clear. And the aforesaid Castle Meadows and Shirehouse and the aforesaid places specified . . . are within the ditches of the city and are not nor ever were of the said city but are in the Hundred of Blofeld and other Hundreds and of the body⁵ of the County of Norfolk. And long after the time of King Richard the men living and having goods and chattels in the said places were taxed to the fifteenths and other quotas granted to the King in the County of Norfolk and the aforesaid hundreds and not to tenths with the said city. And the Prior and his predecessors from time beyond memory have been wont to hold in the said place Views of Frankpledge in the week next after the feast of the Holy Trinity . . . and another Court in which the Steward of the Prior has been wont to hear and determine before himself all pleas of trespass debts accounts and other contracts. And the Prior has been

¹ Nulla habent visum franci plegii libertates aut privilegia aliqua nisi ex concessione Ricardi . . . et Regum Anglie sibi succedentium.

² Ad domos suas et monachorum suorum faciendas.

³ Quando hoc quod nunc dicitur ciuitas Norwici fuit et recordo dicebatur Burgus Norwici.

⁴ Totaliter.

⁵ De corpore.

wont to take all issues and profits as of right of his church, and within those places neither the citizens or commonalty of the city of Norwich or the Sheriffs of the county of Norwich or the Sheriff of Norfolk have had any jurisdiction, but all defaults trespasses done in those places and in the said View of Frankpledge or the Court of the Prior concealed¹ [concelati] have been wont to be presented and punished before the Justices Itinerant and the Justices assigned to hold pleas before the Lord King² until the citizens and commonalty by pretext of the letters patent of the late King Henry IVth drew the said places to the said city by usurpation over the Lord King³ and on Tuesday next before the feast of SS. Simon and Jude in the 3rd year of the King now, at the tourn of the Sheriffs of the county of the city held before Richard Moneslee and Thomas Ocle then Sheriffs, Thomas Growte [the Jurors specified above in article 6] presented Robert Brunham then Prior for obstructing the highway called Holmstrete with a house there and at that house making hamsoken against Herman de Atteelbrigge and on that charge the said Jurors amerced him £10 and in default took and sold a cart of his and kept the money thus making usurpation upon the King."

8. Whereas hitherto the Capital Pledges of the View of Frankpledge and afterwards those of the Sheriffs' Tourn had, 14 days before the holding of the court, perambulated the City (except the exempt parts) to enquire and give notice, on the occasion of the Tourn on 14 March 3 H. V. they perambulated Troubrigge with Howhill, Rysgate, Malkenyscros, Lakenham Brigge and Herford brigge. Also they amerced certain fullers for fouling a stream called Lakenham Watyr with their refuse and imprisoned them till they paid the amercement.

9. At a 2nd Inquest held on the same day at the same place another set of 18 Jurors present all the above charges and further say that John Guregrave of Norwich yoman one of the sergeants at mace of John Danyell Mayor of Norwich with many others unknown by assent and command of the great officers⁴ and of the commonalty on the feast of St. Michael last past broke the close formerly of John Aslak of Sprouston in Sprouston a mile outside the city and in the geldable of the Lord King⁵ in the County of Norfolk and took 40 cows of Robert Aslak and others found in the close of the value of £20 for certain amercements in which John and William Aslak and other men of Sprouston were amerced in the courts of the Sheriffs of the city. They took them with force and arms, to wit, with swords daggers and staves, claiming the vill of

¹ Defaults, etc., committed but passed over by neglect in the View or Court.

² Justiciariis ad placita coram Domino Rege tenenda assignatis.

³ Dicta loca dicte ciuitati usurpando super dominum Regem attraxerunt.

⁴ Magnorum officiariorum.

⁵ Per unum miliarium extra ciuitatem et in gildabili domini Regis.

Sprouston and the aforesaid close to be within the city and liberty thereof in contempt of the Lord King and manifest peril of his disherison.

*Book of Pleas,
fol. xxxd.*

CCLXXXVII.—Edmund Oldhalle having died without making a return to the Writ appointing the above Inquest, a Writ was issued to his Executors on 10 February 6 Henry VIth (1428) calling for all the documents connected with it. The case was before the King's Court at Westminster in Hilary Term 9 H. VI. (1431), and the Citizens were condemned to make a fine with the King as appears from an Exemplification granted to the Prior on 20 March 19 H. VI. (1441). "We have inspected the tenor of the fines amercements etc. in the term of St. Hillary in the 9th year of our reign, in these words; Norfolk: Of John Cambridge Mayor of the City of Norwich and of the Commonalty of the said City, for a fine by occasion of divers encroachments and usurpations trespasses and contempts [charged] upon John Mannyng, merchant and citizen of Norwich and John Byskelee merchant and formerly Mayor of the city and others late Mayors of the said city before Edmund Oldhalle Escheator of the Lord Henry late King of England father of the King now in the said County on the 7th day of October in the 5th year of the late King whereof the said present Mayor and Commonalty have put themselves on the grace of the Lord King by pledge of Thomas Fraunceis of Norwich and John Heydon of the said county, £12. Of Richard Moneslee merchant and citizen of Norwich formerly one of the Sheriffs for fine for the like [offence] by the same pledges, £4 and half a mark; of Henry Rafman formerly one of the Sheriffs, £3; of John Bouk merchant and citizen of Norwich, one of the coroners of the city, 40s.; of Thomas Growte yeoman, half a mark; of Richard Querell yeoman; John Forke; William Parker hirdeler, Robert Fletcher yoman; Richard Riston yoman; John Grymer; Richard Furbusher yoman; Giles Sporyer sporyer; Thomas Pennyng citizen of Norwich; John Horn c. of N.; Richard Duke c. of N.; John Thakestere c. of N.; John Toke c. of N.; Nicholas Buffyn c. of N.; Richard Raveley c. of N.; Richard Fyshpole c. of N., (all of them) half a mark; of John Gargrave yoman one of the sergeants at mace of John Danyell Mayor of the city of Norwich, 20s. . . . In testimony of which (exemplification) we have caused these our letters to be made patent. Witness myself at Dogmersfelde on the 20th day of March in the 19th year of our reign."

II.—Dispute with the Prior of Norwich about Jurisdiction 1441—1445.

[This dispute followed and arose out of the next stirred up by Thomas

Wetherby. But as it relates to the same complaints as in the preceding litigation it is here placed before "Wetherby's Contention."]

CCLXXXVIII.—*Bills of the Prior of Norwich and the Abbot of Wendling and others before the Justices at Thetford against the City of Norwich, July 1441.* *Book of Pleas, fol. v.*

John¹ Prior of Holy Trinity of Norwich makes plaint against William Ashwell,² Mayor and Alderman, John Brusyerd and John Spicer, Sheriffs³ and Aldermen, Robert Toppes John Cambrigge Thomas Yngham John Gerard John Wilbye Henry Sturmer William Hempsted Peter Brasyer Robert Roper John Dunnyng John Folkard Clement Rayssh John Hoggekens Robert Bliklyng Robert Laudesdale John Sypater Augustine Bange Gregory Draper Henry Pykkyng Edmund Breton and Simon Walsoken, Aldermen.

The Prior pleads a Statute of 28 Edward III. with reference to the City of London, by which if through defect of government by the Mayor Sheriffs and Aldermen errors defects and misprisions remained unremedied, the Mayor etc. should forfeit 1000 marks for the first default, 2000 marks for the 2nd, and at the 3rd the liberties should be seized into the King's hands, and the grievances enquired into by a Jury from the neighbouring counties. If convicted the Mayor etc. are by due process to be summoned to answer as well to the King as to others before the Justices assigned, before a Jury formed of outsiders⁴ Each person, Mayor, Sheriffs or Aldermen, is to be bound separately to answer at his own peril. This Statute is to extend to all other cities boroughs and towns of England, the Jury and Inquest to be taken from the County in which such city is situated.

The Prior claims by immemorial right to hold a fair every year from sunrise on the vigil of Pentecost for a whole week to sunset in the second day [Monday] after the Octave of Pentecost through Norwich and a league around Norwich.⁵ Also to hold a Pie Powder Court before his Steward to deal with debts etc. whether exceeding 40 shillings or not within the precinct of the fair; and during that time to have custody of the city gates with tolls and other profits; and all jurisdictions corrections and punishments ever exercised at other times of the year, formerly by the Bailiffs and now by the Mayor and Sheriffs (except only such as pertain to the office of Justice of the Peace, Coroner, Escheator, and the execution of the King's Writs). He complains that the Mayor Sheriffs

¹ John Heverlond, Prior from 1436-1453.

² Appointed Mayor, 1st May, 1441.

³ Served as Sheriffs till Michaelmas, 1441.

⁴ Per gentes forinsecas.

⁵ Habent quandam feriam singulis annis ab ortu solis in vigilia Pentecostes per totam ebdomadam usque ad occasum solis in secunda feria post Octabas Pentecostes per Norwicum et unam leugam circa Norwicum.

Aldermen and Commonalty of the City on Saturday the Vigil of Pentecost, 19 H. VI. (3 June 1441), on a plea of debt had set up a court and compelled Walter Estgate to answer to the suit of Thomas Hervy, steynour; and Roger Ose sergeant of the pie-powder court of the Prior to answer to Robert Hemmyng on a plea of debt of 5 shillings and to William Wright of North Elmham for 9 shillings, and for 10 pence toll taken of Robert Fynne for 20 sheep purchased in the fair, 4s. 4d. toll of William Chapman for 40 calves so that the Prior lost his profits for 6 days.

Therefore, as the said Mayor Sheriffs and Aldermen, though often required had not yet reformed their errors but altogether refused to do so, the Prior sets his damage at £200.

fol. *vi*d.

Edmund Abbot of Wendling makes plaint against William Ashwell Mayor, etc. He also pleads the same Statute of Edward III., but makes no specific charge.

[The result of these complaints is recorded in an *Inspeximus* granted to John Heverlond, Prior, in June 1445.]

CCLXXXIX. *Inspeximus* of Pleas at Westminster Mich. Term 21 H. VI. [1442].

At a Commission of Enquiry held at Thetford in July 19 H. VI. [1441] before John Fray, William Paston and Thomas Tudenham knight, the following charges were presented in xix. "*capitula*."¹

Nos. i.-v. are repetitions of those presented before Edmund Oldhalle at Cringleford as occurring in 1417 and 1418.

vi. On 12 March 1439 the Coroners of the City had wrongfully held an inquest in Holmstrete on the body of Nicholas Isbell.

vii. The same year the Sheriffs arrested John Sturdy, on a plea of debt held in the King's Court in the City, in the churchyard of Lakenham and imprisoned him in the city.

viii. On a similar plea they arrested John Welyot in Raton rowe.

ix. Also John Multon in the Priory.

x. On 2 Sep. 1440 the Coroners forcibly held an inquest on the body of John Smyth found dead in a claypit in Bracondale.

xi. In Dec. 1440 the Sheriffs on a plea of trespass arrested in the Priory Robert Norwich and Thomas Greystoke and in Jan. 1441 William Lacy in Raton rowe.

xii. Also Simon Tubbard in the Church of St^t Martin at the Gates of the Bishop and Henry Mathewe.

xiii. And Thomas Grafton on a plea of *detinue*.

xiv. and xv. On 13 March 1441 Robert Toppe, late Mayor, arrested

¹ These "*capitula*" seem to be rather sections of the record than heads of presentment.

John Everard, mason, in the church of St^t Martin and bound him to keep the peace towards Elizabeth Botry.

xvi. On 12 April the Jury of the Leet before the Sheriffs entered Normanslond and removed bounds set in spite of (?) a stone wall.¹

xvii. On the feast of St^t Mary Magdalen (22 July) 1441 William Ashwell Mayor and others assaulted Robert Sulle clerk at the Magdalen Hospital, a servant of the Prior of Walsingham, and seized him in regard to a certain plea and also seized some of the Prior's goods in the hands of a serf of his in Robert's custody and imprisoned Robert till he signed a bond of obligation of £20 for his release.

xviii. On 14 Feb. 1440 John Cambridge Mayor ordered the seizure of John Brome in the Priory for having made rescue of Simon Fish, who had been arrested to keep the peace.

xix. In short the Mayors etc. had wrongfully claimed "royalties" over Thorpe Newton Trous Lakenham Brakendale Eton Catton Trous-millegate, the Priory of Carrowe, the Hospital of St^t Mary Magdalen, the Priory of Holy Trinity, the [? Earl's] Palace, Raton rowe Tomlond Holmstrete, the land "a terra episcopi etc," Poulis hospital or Normanslond . . . all of which were in the County of Norfolk. . . .

CCXC.—The same term at Michaelmas before the King at Westminster came Nicholas Stanhowe and others and also the "Mayor Sheriffs Aldermen and Commonalty²" by Thomas Croxton their attorney.

They deny or explain the charges and assert that Lakenham is and always was a "hamlett" and in the city of Norwich and County of the same.

Then they plead that Norwich is an "ancient city" and had Bailiffs and a Community in fact and in name³ from time whereof etc. to 5 H. IV., and was part of the County of Norfolk . . . Edward I. by his Charter in his 33rd year granted to the "Bailiffs and Community" and their successors by the name of "the then citizens" of the city⁴ that they might keep all prisoners in their own prison until the justices assigned came, and might exercise all their offices and rights in the City, the bounds of the river Wensum⁵ and the suburbs.

This Charter was confirmed by Edward II., Edward III., and Richard II. Then Henry IV. by his Charter in his 5th year granted etc. [Here Henry's Charter is recited relating to "all the land within the city with suburbs, hamlets etc. being separated from the County of Norfolk and the city becoming a County of itself.]

¹ Metas ibidem in defensione muri lapidei positas.

² This description is used several times in the above charges, substituting "Aldermen" for "Citizens."

³ Est antiqua ciuitas et Ballivos et Communitatem in re et nomine habuit.

⁴ Per nomen tunc ciuium ciuitatis. ⁵ Riparia de Wenson.

This was confirmed by Henry V. and now recently Henry VI. in his 8th year had confirmed these and many other charters to the "Mayor and Community" of the City by the names of the Citizens and Commonalty of the City.¹

By the charter of Hen. IV. all the hamlets etc. became the one County of the City of Norwich.

They therefore claim all the places mentioned as being within the City or Suburbs as thus granted by the various charters mentioned.

On behalf of the King Thomas Greswold traverses these allegations, claiming that the Priory, Holmstrete etc. were the liberty and soc of the Cathedral Church and separate from the City of Norwich before the "incorporation of the City,"² and that the other places were all in the County of Norfolk.

CCXCI.—After several adjournments, on 8 July 1443, William Ashwell Mayor produces the King's pardon to himself personally. The rest are summoned to appear either before the King at Westminster at the Quindene of Michaelmas, or before William Godered, William Yelverton Justices at Pleas and William Paston a Justice of the Bench at East Dereham on Monday after the feast of St. Matthew [23 Sep. 1443.]

At the Quindene of St. Michael at Westminster the Mayor etc. came by their attornies. William Yelverton and William Paston and others send in their report of the Inquest held at East Dereham. The Mayor etc. had not appeared. After proclamation Edmund de Wychingham had offered himself to inform the King and was heard. By the oath of 12 persons sworn to say the truth it was adjudged (*a*) that with regard to usurpation of royal rights in Thorpe Newton and Catton the Mayor etc. were not guilty, (*b*) that the Palace, Priory, etc. were not and never were in the King's City of Norwich, (*c*) that the Magdalen Hospital and the hamlets of Troues, Lakenham, Brakendale and Eton, Trousmyllegate and the Priory of Carrowe are and were not (nor any parcel of them) in the suburbs.

The Court adjudges that the Mayor and Community being convicted of encroachments, usurpations etc. . . . should make fine with the Lord King.

A day is given at the Octave of Hilary to all parties to hear judgment. [Nothing further is recorded.]

III.—"Wetherby's Contention," 1433-1437. (See Introduction VI. 4.)

Abstract of Justice Godred's Report to the King.

CCXCII.—Writ from the King to William Godred to enquire into

¹ Per nomina ciuium et communitatis ciuitatis.

² Ante corporacionem dicte ciuitatis. The notion of incorporation seems here referred to the time of Edward I., and therefore inferentially to that of Richard I.

the allegations contained in a certain Petition from certain citizens of Norwich, 18 Dec. 15 H. VI. [1436].

The Petition presented to the Chancellor, the Bishop of Bath; "Mekely besechith you yo^r continuel bedesmen John Brakle Robt. Broun Benet Joly Hen' Kyng Piers Laurens and John Ketill Citesyns of the Cite of Norwich to Wite Wher as oon John Hauke of the same Cite w^t other named in a retorne of a certiorari retorned in the Chauncery of our Souerayn lord the Kyng was convicte of diuerse falsehodis for the which he was perpetuely depryved of all offices and Counsell wⁱⁿ that Cite as in a retorne of the certiorari aforeseid is more plenely specified And in the fest of Michielmesse last passed [1436] by the covyn and procurement of oon Thomas Wetherby And by the tendre affection of Richard Brasyer and Water Crumpe nowe Shrevis of the seid Cite the said John Hauke was takyn in to thoffice of an undirschreve without thassent of the Common Counsell of the said Cite for the which by assent of all the Cois [Commons] of the cite was sued unto yo^r gracious lordship to have writtes directe to the seid Sherevis upon the retorne of y^e certiorari aforeseid to remove the seid John Hauke out of that office and another honest person in his place putt as in the Writtes is most pleynly rehersed Upon the which Writtes the seid John Hauke in the fest of Seynt Kateryne last passed [23 Nov. 1436] of gret malis hath enprocured to be retorned in the Chauncery that yo^r seid pou^r suppliauntz in the fest of Philip and Jacob the xj yer [1 May 1433] of our Souereigne lord y^t now is should forgen and maken an untrewre certificat the which is the retorne of the certiorari aforeseid with the comon Seale so being undir their kepyng shuld selyn and undir the names of Richard Purdaunce thann Maior Robert Louesdale and William Hempsted that tym Shrevis and undir the names of all the comons of the seid cite they shuld the seid certificat into the Chauncery untrewly putten as in that retorne is mad mynd And thus undir thes forme the seid John Hauke unwytyng and unknowyng of the seid Richard Brasier and Water Crumpe now Shrevis the seid retorne hath mad and undir these names into the Chauncery hath putt and with the seale of his office so being in his kepyng hath asealyd but forasmuch gracious lord that wer great noyaunce to the gret multitude y^t arn inhabitants in the seid cite in the presens of you gracious lordship to record the treuth of the mater aforeseid Wherefor that it like your gracious lordship tendirly to consider all this premisses and specialy to graunte a Writte directe to the Worshipfull lorde the Bishop of Norwich Simond Felbrigge Knyght and to William Yelverton whereby they may have full pou^r to take afor hem all partis aforeseid and to receyve all the persones that will gyf evidence to the treuth of all the mater aforseid and duly to examyn all the premisses fro the first begynnyng and un to this day un to your gracious lordshipp at a certeyn day by you assigned to certifie in the honou^r of God and in the wey of Charite."

CCXCIII.—*Godred's Return to the King.* After recital of the Writ and Petition addressed "To the Bishop of Bath, Chancellor" he states that by virtue of the King's Writ he went to Norwich and summoned before him the Mayor, Sheriffs, all the Aldermen, the 60 Common Councillors and all others interested¹ on Jan. 2nd (1437). All appeared but three.

After proclamation of the Writ and the Petition the various parties were examined separately² and made the following replies; (a) that the Return mentioned was duly passed and sealed by the Mayor etc. and was not forged by Brakle and others as alleged by Hauke; (b) that John Hauke and others had been convicted of fraud . . . and deprived of all office for ever; (c) that he had on the Writ for removing him from the office of under-Sheriff made a false statement as to the fraud attributed to Brakle, and without the knowledge of the then Sheriffs had sealed it with their seal then in his keeping.

First the Citizens and then the Aldermen were then questioned as to whether John Hauke was appointed under-sheriff with their consent. All answer No, except Richard Monesle and Richard Brasier one of the Sheriffs.

. lxxvii. (foot).

CCXCIV.—Enquiry was then made from the Citizens, Was a certain Writing (produced) sealed with the Common Seal and purporting to be made by the whole Assembly, so made or not?

The Writing (including other documents). "Purdaunce Mayor Laudesdale and Hempstead Sheriffs, the Aldermen and the 60 Common Councillors . . . to all Christian men greeting. Know ye that in a Great Assembly on 27 March [1434] was read a certain Arbitrament, Ordinance or Award in this form; In the name of God Amen: It is to be remembered that by virtue of a Bill of certain Appoyntments and submission made in presence of the Chancellor and the Earl of Suffolk on 18th Feb. 12 H. VI. [1434] between Thomas Wetherby and 5 persons named in the return to the Writ of Certiorari on the one part; and certain other persons named in the Bill of Appoyntments on the other part (of which bill the very tenour is as follows; It is to be remembered that on 18 Feb. before the Chancellor and the Earl of Suffolk, Thomas Wetherby and others named in the Return of Certiorari . . . and others of the City against whom complaints had been made, agreed that [with regard to grievances arisen on May 1st last past or since] the majority of the Aldermen and 6 Commoners to be chosen by the

¹ Sexaginta ciues pro communitate ac consilio communi dicte Ciuitatis nunc existentes ac alios ciues eiusdem Ciuitatis magis sufficientes et idoneos ac omnes alios in premissis interesse habentes.

² The Petitioners by themselves, Laudesdale and Hempstead Sheriffs by themselves, and the Mayor Aldermen and Citizens present by themselves.

Commons in Assembly—in presence of Wetherby if he chooses—before Easter next following the 18th Feb. should examine into all the complaints and at their discretion make their award, by which award Wetherby and all the others solemnly promised to abide), Purdaunce, Mayor, on 25 Feb. summoned an Assembly in the Gildhall on 27 Feb. to choose 6 Commonsers in accordance with the Bill, to which Assembly Wetherby was warned to come.

At this Assembly (Wetherby being wilfully absent) were present the Mayor, 14 Aldermen and the majority of the 60 Councillors. Six Commonsers were chosen, Edmund Brytton als Fuller, Piers Werkton, John Folcard, Robert Broun, John Braukle and John Ketill. Then the majority of the Aldermen and the 6 Commonsers summoned Wetherby and the others persons named in the Certiorari to appear before them on 5 March and hear what should be moved touching the matters contained in the Bill of Appoyntments.

On that day Thomas Wetherby, John Querdling, John Hauke, John Bylagh, Thomas Fishlak and John May appeared. Wetherby, being asked, said that the Bill was much according to the sentence of the appointments before the Chancellor but there was variance therein, yet could not say what; and eschewing all articles of explanation offered to submit to the award of the arbitrators. The other 5, first acknowledging their assent to the untrue bill put to the Chancellor upon certain persons of Norwich, said the same. "What they ment God wote."

fol. lxixz.

The Arbitrators not being satisfied appointed Saturday before St. Gregory [6 March] for each of the parties to appear separately.

On that day, the Mayor Aldermen and 6 Commonsers sitting, Wetherby did not appear but sent in a bill under this form, 'If this reformation be done as I was entreated with by Robert Chapeleyn and others and according to rehearsal made by the Recorder before the Chancellor and Earl of Suffolk I will obey, if otherwise not.' Also the same day 4 of the 5 (Querdling excepted) appeared and were asked whom they could make party (since the bill spoke of "certain persons"); Bylagh named Henry King 'ageyn him in speciall'; Hauke Fishlake and May named Richard Monesle and others but brought no proof of their grievances only their own naked word.

We (Mayor Aldermen and 6 Commonsers) taking against them the persons named by them and also Richard Purdance whom they knew to have been their Mayor, the same day called before us a great number of substantial witnesses of all the 4 Wards of Norwich. These witnesses unanimously affirmed that the Bill of Complaints put in to the Chancellor was false in every article and that the "Schedule responsall," which had not yet been sent to the Chancellor, was true in every article (which Bill and Schedule are together annexed at the end of this present) and that the Return to the Certiorari was correct according to the demerits of the

fol. lxx.

5 persons named therein. Keeping privy these depositions we summoned the 4 to appear on the Friday before Passion Sunday [12 March] and sent word to Querdling.

On which day we (Mayor etc.), in default of the appearance of Wetherby and the other 5, published the depositions, and as it was then alleged that they would put forth nothing more but declared their desire to hear our final award, therefore having fully examined etc. . . . In the Name of God we declared the 5 guilty and fined each of them £20 to be paid to the Commons of the City. Soon after which the 5 in lowly wise came and made their submission and promised reformation. Where-upon in reward of their submission, combining grace with meekness we pardoned them the £20 on a bill of recognisance separately signed by each and entered.

Then not wishing to proceed with Wetherby without speaking to him we sent 2 Aldermen and 2 Commoners [on Saturday before Passion Sunday] who returning the same day reported that they went to his house in Norwich and saw his wife and meyne¹ and told them etc. They said that he "was oute of towne but wher they mowte not wetyn." So we fixed Monday after Palm Sunday.

On that Monday [22 March] we met and sat till Tuesday and then pronounced Wetherby guilty of fraud etc., and especially of wilfully acting against the Charter of Liberties "first as a fre man and citsen, secundarily as Shreve, the third and the fourte tyme as mair." We condemned him to be deprived of his Aldermanship and all offices and the Common Council, and to pay £100 within 4 days, and if he will not obey, to pay another £100 and forfeit his freedom. "Given on Tuesday after Palm Sunday, 12 H. VI." Two persons sent to Wetherby at Intwood reported that he refused to obey the decree.

At the request of the Arbitrators the Mayor, Purdance, ordered the seal of the Mayoralty to be set to the Award on Wednesday. [On 27 March] the whole Assembly approved the Award against Wetherby and ordered the Common Seal to be set to it. [*Here ends the Writing.*]

The Mayor etc. being asked whether all the above Record was made by them or not, all with one voice say Yes.

CCXCV.—Enquiry is next made whether the statements in a Bill containing *Articles of Complaint by Thomas Wetherby* as follows are true or not. After reciting the Charter of H. V. as to the election of a Mayor, that in case of a disputed election the Mayor's voice shall count for two, the bill of Complaints continues; on May 1st, 11 H. VI. Thomas Wetherby Mayor with 18 Aldermen etc. duly and in right form elected William Grey

¹ Either "household," Halliwell, *meiny*; Kelham, *Dictionary of Norm. Fr.*, *meyne*; or "domestic servant" menial. From Fr. *maison*.

for Mayor. Afterwards illegally various persons assembled and elected John Gerrard and then sending for the 4 Clavers got the Common Seal and sealed a Certificate of his election.

Answer. This statement is all false.¹

CCXCVI.—Next it was enquired whether a certain *Schedule of Answers to Wetherby's Bill of Complaints*, as follows, was true or not. fol. lxxii.

John Querding was not on 1 May 1433, as asserted, or at any other time rightly chosen for Speaker, but put himself in through excitation of Wetherby and assent of Hauke and others, having forged a bill without knowledge of the Commons, as is more plainly declared in the return of the Certiorari.

On that occasion contrary to custom the names of the persons nominated by the Commons were not "truly testified," because Wetherby the Mayor had by threats induced certain Aldermen beforehand (contrary to all right) to vote for William Grey. Thomas Wetherby did not depart out of his room² as he states "hearing the gret voice of the Commons." He heard them nominating Purdance and Garrard and proudly and (though Mayor and a Justice of the Peace) unpeacably rebuked them because they wanted their free nomination. There was no other noise. Nor was it right that Justices of the Peace should present the names to the Aldermen but only in the form aforesaid.

After these misprisions he passed into the Mayor's hall to the Aldermen and there by covyn Querding, Hauke and others named in the Return to the Certiorari and Thomas Wetherby certified the names of William Grey and John Gerard instead of Purdance and Gerard. Whereupon substantial Commoners went to the Mayor's hall requiring in the name of the more part of the Commons that the Mayor should not proceed with the election, for the more part had nominated Purdance and Gerard and none other. But Wetherby refused to hear them and Querding threatened to "smite one of the commoners to the heart," and Wetherby said, "Do it and it shall be abyden by."

Then Wetherby came down to the Commons and said "Sirs, ye have named 2 worthy persons and of them we choose one, William Grey." And all cried out with one voice, "Nay, Nay, Nay, we never named Grey but Purdance and Gerard." Wetherby answered "that William Grey should be Mair mauger³ you all," and led him home, calling upon all to accompany him. Nevertheless the Commons and the more part of the people and the Aldermen abiding there still giving their voice for Purdance and Gerard, it was agreed that one or two Aldermen should go to Wetherby and beg

¹ Omnes una voce dicunt quod dicta billa et transcriptum eiusdem bille in lingua Anglicana . . . fuerunt et sunt falsa ficta et per Thomam Wederby maliciose et subdole fabricata. ² Domus. ³ Magré, in spite of.

him to come back, but he refused and rode out of the city caring nothing for the distress caused.

Whereupon they returned into the hall by themselves and chose Purdance for Mayor, reserving the report thereof till they had Wetherby present, and sent the Commoners to the "Right Reverend Father in God, their diocesan Bishop of Norwich of the King's Counsel" to ask him to go and see Wetherby; which he did and Wetherby agreed to accept Purdance for Mayor and promised "with mouth and heart and with his hand in the Bishop's hand." And they all came to the Guildhall and made Purdance Mayor.

Being asked, Were these statements true? All answered, "True in all particulars."

CCXCVII.—Next Godred enquires whether a Copy sealed with the Common Seal containing certain *Decrees against Querdling, Hauke and others* was true or not.

Richard Purdance Mayor [of the year succeeding Wetherby] the Aldermen and 60 Councillors greeting. Whereas Thomas Wetherby etc.¹ After recital of the conduct of Querdling, who set himself up for Common Speaker; Hauke who forged a false nomination of 2 Aldermen for Mayor; Nicholas Waleys; John Bylagh; John Mey and Thomas Fishlake; of whom it was popularly said, "Qwo so have any quarrel or ple If in the Gildhall at Norwich it be; Be it false be it true, If he but withstand John Hauke John Querdlyng Nicholas Waleys John Belagh John Mey Sore shall him rewe, For they'll rewle all the court with their lawes newe;" it was decreed

against John Querdling who on 1st May, when the Mayor and Aldermen met in the Mayor's solar on high² and the 60 and other citizens below³ went down to the Commons arrogantly and presumptuously and with rude and rough countenance⁴ took upon himself to be Common Speaker⁵ for the 60 Concitizens and the Commonalty whereas he had had neither warrant nor assent thereto. He is prohibited from holding any office, pleading in any court or taking part in any assembly.

against John Hauke because still breathing out falsehood and perjury⁶ whilst he remained Common Clerk and Minister, bound by the corporal oath proffered by him on the Holy Gospels, on the said day and place wrote the aforesaid schedule in a private and unwonted place knowing that it was false and fraudulent, incurring voluntary perjury and expressly committing fitting falsehood.⁷ To suffer the same penalty.

¹ Wetherby's year of office had not expired when these decrees were made.

² Super solarium Maioris in alto.

³ In basso.

⁴ Cum rude et robusto vultu.

⁵ Suscepit super se communem fore locutorem.

⁶ Adhuc spirans falsitatis et perjurii.

⁷ Falsitatem aptam expresse committendo.

against Nicholas Waleys because wishing to increase¹ his falsehoods previously practised, on that day, with Querdling and Hauke, as a second Iscariot² he assented to the before mentioned deeds. And further, in his pleadings and giving his counsel he willed and was wont without shame to take money and a bribe from both parties and other frauds and deceptions in deceiving his clients he did and practised as daily he does and practises, insomuch that he is named by all "Ambidexter³ communis" and is reputed a most false forger.⁴ The same penalty.

against John Bylagh, Common Sergeant, for similarly, after promising reformation, doing worse and breaking his oath as Common Sergeant. The same penalty.

against John Mey because as one who nourished himself on extortion from his infancy⁵ on the said day, when he was keeper of the Gaol, into the Guildhall with threatening countenance as a madman with offensive weapons⁶ pushed himself and entered, heavily threatening those there and among other things shouting thus or such like words in the vulgar tongue, "Varlotts I schall breke yo^r hedis and schall put you in Penteney"⁷ and many other insulting and threatening words he heaped upon them and with a mace at arms⁸ which he carried in his hand he fiercely struck very many of them so that the Commons did not dare to proclaim their voices. The same penalty.

against John Fishlake, Sword bearer, for breaking his pledges. The same penalty.

These decrees Thomas Wetherby Mayor, with his assent establishes.

The above decrees Purdance Mayor, with his assent approves and confirms and seals with the Common Seal on Tuesday 16 June, 11 H. VI.⁹

This Copy of the Decrees being shewn to the citizens by Godred, they all declare that it was done by the Mayor, Aldermen etc. and not fabricated.

William Godred having thus finished his Enquiry reports to the King that the then Mayor, Aldermen etc. have solemnly certified him of the truth of all the writings recited (except the Bill of Complaints sent to the Chancellor by Wetherby and the transcript thereof which were false). The rest were all done by the Mayor etc. and by them sealed with the Common Seal.

¹ Ampleare. ² Tanquam alter Scarioth.

³ The man who holds out his right hand both ways.

⁴ Falsissimus falsarius reputatur.

⁵ Quasi ab infancia extorsionibus victum sibi acquirens.

⁶ Armis invasivis.

⁷ The prisoners' cell in the basement of the Guildhall.

⁸ Cum quadam clava ad arma—an official mace with the King's arms on it.

⁹ 1433. He would have entered on his office that year on 9 June, Tuesday after Trinity Sunday.

1st Assembly
Book, fol. ii.

CCXCVIII.—*The Earl of Suffolk's Award.*

On 21 March 1437, by virtue of a Royal Commission, the Earl of Suffolk declared the following Award at Norwich in a full Assembly.¹

Be it knowen to all man' of men that Where as certeyn dyvysyons and debates han ben beforen this be tween the Cyteseyns of the Cyte of Norwich for certeyn poyntes folwyng, first for the kepyng and the gouernans of the common seall the [which] was take out of the place acustummed wher it hath ben kept In the first day of May the xi zer of the Kyng that now is and sythen that tyme in to now hath ben kept apart out of the sayd place, and under that seall so kept diuers Wrytynges han ben ensealed agens John Hauke John May Thomas Wethirby Thomas Fishlake John Belhagh William Grey and John Qwerdlyng concerning certeyn defautes offences and untrewthes that they shuld have don to the seyde Cyte accordyng to wheche Wrytyngs so ensealed under the sayd common seall diuers retornes and certificates han ben mad aforne this to the Chauncerye of our sou'yng lord and other diuers retornes and certificates han ben beforen bē mad in to the same Chauncerye a contarye to that, be cause of wheche Wrytyngs so ensealed retornes and certificates as wel the whole Warde of Conesford the sayd John Hauk John Mey Thomas Wetherby Herry Kyng Pyers Laurens John Brakle Robert Broun and many other of the seyde Cyte compleyne hem to be distroubled of ther libertes electiones and fraunchises and grete costs and expenses useon to have suffred ageyns reson, the Meyr Aldermen and Communalte of the seyde Cyte aforne the Right Wurthy Erll of Suff' to whom it lyked our sou'eynge Lord to directe his pivy seall among other to cese and redresse the occasyons of the seyde diuisyons and debates arn accorded in the forme that folweth, first that the common seall wheche is brought and leyd in to the place ther to acustomed be the rewle of the seyde Erll shall abyde still under the same forme as it dede the seyde first day of May and aforne and iiii Clauyers then to chosen to have kepyng of the iiii keyes ther to longyng as it hath ben used aforne the seyde first day of May. Also that the fornseyd Wrytyngs under the fornseyd common seall as well as all other Wrytyngs ensealed with under ony other seall of offis of the cyte touchyng this mater fornseyd in hos hands that it be voyd and had for noght and shall be cancelled in as short tyme as they may goodly. Also that thurgh the mene of the seyde Right Wurthy Erll of Suff' all man' of Wrytynges retornes and certificates touchand the seyde mater remaynyng in the Chauncerye of our sou'eigne Lord shall be void and revoked in sweche forme as no man of eyther partye shall morn^a be hurt ther by in tyme comyng. Also that all man' of eleccyons to ben mad with Inne the seyde Cyte shall frely be mad accordyng to the Chartre and liberties to them graunted and to ther

¹ See Extracts from Assembly Book, No. CCX.

^a More.

composicions ther of mad with outen any other workyng under nothen apart so that all tymes the fredham and fraunchyse of the Cyte shall be kept and saudd.¹ Also that Thomas Wetherby nen non other shall noght sewen² nor vexen non other of the comoners of the seyd Cyte ne they them a contrarye to no thyng surdyng³ ne growyng ther upon or be that cause but that eche of hem shall shewe and do to other as thes fornseyd debates had neuere fallen. And the seyd Meyr Aldermen and Comunalte graunten⁴ afformen and declaren be thes presents that Thomas Fyshlak Thomas Wetherby John Hauk William Grey John Qwerdlyng John Belaugh and John Mey and iche of hem to be and at all tymes to have be trewe fremen and concytegens of the seyd Cyte And that they shall enjoyen all maner of libertes offis and fraunchysies of the seyd Cyte as holy as any other man with Inne the same and as they were and dede the seyd first day of May and the seyd Thomas Wetherby to be and to stande for an Alderman of and for the Warde of Conesford and the said William Grey to be and to stande for an Alderman of and for the Warde of Wymere in lyke forme as the seyd Wardes seuerly haue chosen them afor this and as they were the seyd first day of May noght withstandingyng onything don wrought or affermed agens them under the seyd common seale or other wyse duryng the tyme that the seyd common seall ben kept apart out of the place of old tyme acustomed and that they and all other of the seyd Cyte shall noght be hurt vexed nor greued after this for no thyng don afor this touchand the seyd mater. In witnesse wher of to this present award the common seall of the seyd Cyte is set. Yeuen in a Common Assemble the xxi day of March the xv 3er of King Herry the sexte after the conqueste.

CCXCIX.—*Proceedings of the Privy Council.*

Nicolas, *Proc. Priv. Council*, vol. v., p. 15.

17 April xv. H. VI. (1437). Be ther maade letters for Wetherby

. . . . Be it wist of my Lord of Glouc' whoo put up the bille.

26 April. Order is given to the Mair Sherifs aldermen and coialtee of the City of Norwich that, in consequence of the dissensions of late, commissioners from the King should be present there on Tuesday next at the furthest and attend the election on Wednesday [1 May] and see that things were done according to the franchises and that none were present but those who had the right.

p. 17.

18 June. In the Chamber. There were present the aforesaid men of Norwich and the cause of their presence⁴ was shewn to them and a day given them to answer on Friday next.

p. 34.

¹ Saved.

² Sue.

³ Arising, Fr. *sourdants*.

⁴ *Materia compericionis sue*.

p. 45. 12 July. Before the King in his "Parva Camera" at Kenyngton. vi of that oon partie of Norwich and vi of that other partie to abide of the most notorie The warde of Norwich to be committed to Welle The franchises to be seased for a certain time.¹

p. 76. 18 Nov. Sith that the franchises of Norwich beth now in the King's hands and considering the great charge that thei ber' for the wardein wherth² that it wer not to deer³ the King to settle oon to be meer there unto May at the which tyme by the K' grace and license they mygt be restored to their franchises [A long discussion follows, which is thus summarised by Sir H. H. Nicolas in his Preface, p. xxiv.] "It was proposed to appoint a Mayor until the day of the next election and then to make a favor of restoring to the citizens their liberties and power to elect their chief magistrate. The Council was divided in opinion on the subject, but they all agreed upon appointing a Mayor, exacting a written submission from the offenders and inflicting a heavy fine on the corporation, so favourable a pretence for raising money being too tempting to be resisted. The terms of submission were to be prescribed by the Archbishop of York assisted by a clerk named Carpenter. With a view of securing the future good behaviour of the citizens it was proposed in case of obstinacy to close their port; but as some doubt existed about the legality of that measure it was suggested that the opinions of the Judges and of the Attorney and Solicitor General should be taken. Lord Tiptoft said that although the King might shut his ports, still the cloth must be allowed to pass. The notes on this affair are too imperfect to allow the real merits of the question to be ascertained; but the Council came to the determination of obtaining the submission of the city before the franchises were restored; of reducing the number of Aldermen; of punishing those that had held that situation; of appointing indifferent persons to be Mayor and Sheriffs till the next election day; and to inform the King of the nature of the proposed rigorous bill and of the way in which the matter had been debated; and to acquaint him that he might close the port of Norwich."

IV.—The Riot called "Gladman's Insurrection." (See Introduction VI. 8.)

Book of Pleas
fol. xvid.

[From the Record of a Petition of the Citizens of Norwich to be relieved from the payment of their Fee-Farm Rent during the time of the forfeiture of their liberties.]

CCC.—In the Memoranda of the 23rd year of King Henry VIth, to

¹ See *Rot. Pat.*, 15 Hen. VI. m. 6.

² ? Whether.

³ ? Desire.

wit, amongst the Records of Michaelmas Term in Roll 35 on the part of the Remembrancer of the Treasurer.

City of Norwich.—It is ascertained that the following Render was demanded of the Citizens of Norwich in the Great Roll:

In 6 Richard I. . . . £54 half-yearly "de hominibus Norwici"
 „ 7 Richard I. . . . £108 yearly, "de ciuibus Norwici"
 „ 6 Edward II. . . . £108 yearly, which are extended to
 £113 8s. od. by tale.¹
 „ 20 Henry VI. . . . £113 8s. od.
 „ 21 Henry VI. . . . £113 8s. od.

And now on the morrow of S^t. Martin [13 Nov. 1443] the citizens appear and complain of the distrains grievously laid upon them by the 2 Sheriffs, Intewode and Aleyn,² since May 8th, for this money and unjustly for they plead the letters patent of King Richard on May 5th in his 5th year granting etc. [reciting Richard's Charter] . . . by virtue of which letters patent the citizens were seised of the aforesaid liberties and franchises and the said late King in like manner then first and not before was seised of the said farm of £108 yearly, and no progenitor of the said late King Richard ever had or possessed any fee farm or any fixed farm³ from the citizens or men of the city or vill aforesaid before the completion of the said grant⁴ of liberties to the citizens as is aforesaid; and the said citizens from the time of the completion of the said letters of the Lord King Richard then first and not before were charged⁵ with the said fee-farm, and they and their successors were charged and chargeable⁶ by virtue of the liberties and franchises granted to the citizens by the said letters patent. Afterwards . . . King Henry IV. in the 5th year of his reign on 13th March⁷ granted to the Citizens and Commonalty that the whole city . . . should be separate from the County of Norfolk and be a County of itself; and that they should elect a Mayor who should be the King's Escheator and in place of 4 Bailiffs, whose names in the common title⁸ should be expunged, there should be elected 2 Sheriffs as appears in the Roll of 5 H. IV. Easter Term.

In virtue of which in the 20th year of the King now they had elected William Hempstead Mayor on May 1st [1442] and on the feast of the Nativity of the Blessed Virgin Mary [8 Sept.] had elected Ralf Segrym and

¹ Numero.

² Chosen Sheriffs at the King's pleasure during forfeiture of the liberties.

³ Aliquam feodi firmam seu aliquam firmam in certo.

⁴ Ante dictam concessionem confectam.

⁵ Tunc primo et non antea onerati fuerunt.

⁶ Onerati et honerabiles extiterunt.

⁷ This was perhaps the date of the entry on his office of the 1st Mayor.

⁸ Vulgari nuncupacione.

Thomas Aleyn Sheriffs of the County of the City, who severally exercised their offices till 14th day of March [1443].

CCCI.—[Here follows a recital of the disturbances as reported at an Inquisition held at Thetford.]

In 21 H. VI. on Thursday after the feast of St. Mathias Apostle [28 Feb. 1443] before Fortescue and Westbury Judges assigned to enquire into treasons etc. 12 sworn men of Norfolk presented that the Mayor, William Hempstead merchant, and the Commonalty of the city on Tuesday¹ next before the feast of the Conversion of St. Paul in the said 21st year in the said city having in purpose to make common insurrection and commotion of all the Lord King's lieges^a in the city and country adjacent were so violent that they made Thomas Bishop of Norwich, John Abbot of St. Benet of Hulm and John Prior of the Church of Holy Trinity of Norwich by threats of burning release divers actions of theirs which they had against the said Mayor and Commonalty and very many more of the said city; and caused that the Lord King did not dare nor had the power to punish John Gladman of the aforesaid city merchant for riding there as a King with a crown and sceptre and sword carried before him by 3 men unknown, and Robert Suger of Norwich souter,^b Robert Hemmyng of the same osteler, Richard Dallyng coteler and others to the number of 24 persons for riding there in like manner before John Gladman with a crown upon their arms^c and with bows and arrows as valets of the crown^d of the Lord King; and they ordered^e 100 other persons now unknown with swords bows and arrows as well on foot as on horseback^f then and there to follow John Gladman; and on the day of the Conversion of St. Paul [25 Jan. 1443] in the aforesaid year . . . they struck and caused to be struck divers bells in turn^g and the said Mayor and Commonalty with many other unknown persons of the city to the number of 3,000 gathered to them by the striking of the bells by force and arms caused them to cross over to the Priory of the Cathedral Church shouting and saying, We will burn the Priory and kill the Prior and Monks thereof; and then they dug under the gates of the Priory to enter in, and they carried logs [ligna] there to burn the gate and they placed engines, viz. guns^h against the Priory. And from the day of the Conversion of St. Paul to the 4th hour after noon on Tuesday

¹ January 22nd, 1443.

² Ymaginando facere communem insurreccionem et comocionem omnium ligeorum domini Regis.

³ Shoemaker.

⁴ Cum corona super eorum brachia.

⁵ Valetti corone.

⁶ Ordinaverant.

⁷ Tam pedestres quam equestres.

⁸ Diversas campanas vice versa pulsarunt ac pulsari fecerunt.

⁹ Bumblast' videlt gunnes.

then next following with force and arms they continued such insurrection whereby by threats they made Richard Walsham and John Wichyngham fellow monks¹ of the Prior there to deliver to them a certain evidence sealed with the common seal of the city by which the Mayor etc. were bound to William Worstead² Prior to pay a rent of 4 shillings and also to hold no plea nor any Sheriff's tourn in Conesford Meadows or in Brakendale, Eton, Lakenham and Erlham; and they carried off the evidence and from the Monday next after the Conversion of St. Paul to the Monday then next following [28 Jan. to 4 Feb.] they kept the city with gates closed and with armament as a city warring against the Lord King,³ and they kept outside the city John Duke of Norfolk from Tuesday after the feast of the Conversion of St. Paul for 1 week thereon following [29 Jan. to 5 Feb.] John Veer Earl of Oxford and other ministers of the Lord King from Monday after the feast of St. Matthias Apostle in the aforesaid year to Wednesday next following,⁴ whom the Lord King by his letters patent of commission assigned to take the insurgents and rioters, and would not permit the said Duke and Earl to enter the city for those times.

CCCII.—At the same Inquisition several other offences were charged against the citizens.⁵

On Monday after the Conversion of St. Paul they had assaulted Walter Aslak and others; they sealed bushells which were not according to the King's standard; they unlawfully used a pie-powder court at other times besides the time of the Saturday market; they used a Gild called Le Bachery⁶ which was not authorised; they had blocked the River Wensum by a new Mill.

CCCIII.—The Court was adjourned to meet at Norwich in the Shirehouse on Monday, 4th March. Here Thomas del Rowe as Attorney for the citizens traversed or defended the charges.

They denied that they had abetted any insurrection; they had not used unlawful bushells; they had an immemorial right to hold a pie-powder court on 2 market days, Wednesday and Saturday; the Bachery was a meeting of citizens immemorially held on certain days in the

¹ Commonachos.

² This was part of an agreement made in 1429. *Book of Pleas*, fol. lv. dors. Blomefield, *Hist. Norw.* iii. 143.

³ Armatura ut ciuitatem contra dominum Regem guerrantem.

⁴ 25 Feb. to 27 Feb. This statement must be an error, for, according to the *Record*, it is part of a presentment made at Thetford on 28 February. Blomefield adopts it, and makes it more impossible by substituting St. Matthew's day, 21 September, for St. Matthias', 24 February.

⁵ As given in Blomefield III., pp. 150 and 151.

⁶ See Introduction V. 10.

Chapel of St. Mary in the Fields in honour of the Blessed Virgin, the members of which made their offerings on feast days in their vestments which they had of their own costs and purchase¹; they were seised of the river by right of charters of Kings granting it to them in fee-farm and they had a right to set sluices in their own water for their own fishery.

Thomas Greswold for the King prays further leave to speak. Whereupon immediately the Mayor and Commonalty, though not acknowledging any of the charges, relinquish their plea and throw themselves in the most humble manner they knew or could, for high or low,² on the King's mercy. They offer to make fine with him and give as pledges William Hempsted, Thomas Wetherby and 120 other persons specially named, citizens of the city of Norwich. But inasmuch as most of them had already been separately attached for other fines they were held insufficient for so great a fine. A day was given to produce proper pledges and to hear judgment at Thetford on 14th March. On that day they came and not producing such pledges and having relinquished their plea against the King, it was adjudged that the liberties and franchises be taken into the King's hand and remain etc. as appears in the Record "Coram Rege."

fol. xxd.

After this recital of proceedings, the Petition continues: The citizens also say that, the liberties thus seized being still in the King's hands, the King by letters patent of 8 May [1443] granted to them to choose Robert Aleyn and John Intewoode Sheriffs at the King's pleasure and they exercise their office to this day, taking all profits etc. And they say further that by reason of this seizure the citizens from the day their liberties were taken have totally lost all the profits of their courts of the market and toll-house from strangers coming to the city to sell or buy.³

Wherefore they pray to be excused from punishment for non-payment of the £113 8s. *od.* of fee-farm rent, by distraint or other molestation, etc.

[The above petition did not succeed. In 1451 it was renewed, as appears from the following Record, the greater part of which is a repetition of the previous record, the names of Sheriffs and other details being altered, the liberties having been restored in the interval].

CCCIV.—Among the "communia" of Michaelmas Term in the 30th year of King Hen. VIth Roll on the part of the Remembrancer of the Treasurer. [Michaelmas 1451.]

¹ In vestibus suis quas de eorum custibus et empcionibus propriis habuerunt.

² Humillimo modo quo sciverunt aut potuerunt de alto et basso.

³ Omnia proficua et perquisita curiarum suarum mercati theolonii omnium et singulorum causa vendendi et emendi ad ciuitatem confluentium.

City of Norwich. It is ascertained in the Great Roll of the 30th year of the present King in the City of Norwich that there are demanded there, Of the Citizens of Norwich, £60 10s. 0³d., balance of £113 8s. 0d. due from Aleyn and Intwode Sheriffs in 21 H. VIth, of fee farm: and of the same Sheriffs in 22 H. VIth £113 8s. 0d.; and of the same in 23 H. VIth £100 1s. 4d. and in 25 H. VIth £226 16s 0d. and arrears.

And now on the Morrow of S^t Martin in this term the aforesaid citizens come by Gerard de la Hay and Thomas Depden and make plaint that they have been greivously distrained by William Barle and John Gilberd late Sheriffs¹ from the 8th day of May in the 21st year of the Lord King now to this present time.

Then the whole previous Record is repeated until near the end where the appointment of Aleyn and Intwode as Sheriffs at the King's pleasure on 8 May [1443] is mentioned. Instead of this is a statement that the franchises having been seized into the King's hands remained in them till the Morrow of S^t Martin in his 26th year [12 Nov. 1447], when they were restored as by a Writ² enrolled in Easter Term of that year in which is contained that the King restored them on payment of 1000 marks.

After "by distraint or other molestation" with which the former record concludes, this record proceeds:

CCCV.—The Court wishing further to deliberate appointed a day within the Quindene of Hilary [Jan. 1452]. Both parties appeared. The case was adjourned to the Quindene of Easter.

On that day, the King's Writ and the other above recorded statements being seen heard and understood by the "Barones de Banco" of the Lord King now, the Justices of the Lord King of both Benches assisting them and the Attorney of the said Lord King and others skilled in the law³ and mature deliberation being had thereon amongst them it was decided that from 14th March 21 H. VI. [1443] when the liberties were seized to 12th Nov. 26 H. VI. [1447] when they were restored, the citizens should not be charged with their fee-farm rent, provided that they answered faithfully to the King for all the profits and issues of the city during that period.

CCCVI.—*Presentments connected with the foregoing disturbances prepared against Tudenham, Heydon and others*, c. 1448. See Introduction VI. 8, *note*.

MS. in Mun-
ment Room 9

¹ These two citizens had been just elected Sheriffs at Michaelmas. The word "nuper" is entered by mistake, the record having been compiled later.

² Granted to Wm. Hempstede, Mayor, 8th November, 1447, No. CCCXII.

³ Assistentibus eis Justiciariis Domini Regis de utroque Banco ac Attorn' ipsius Domini Regis et aliis legis peritis.

These be the extorcions¹ oppressions meynテインances perjuryes imbraceryes and wrongs don to the Meir Aldermen and Commonalte of the Citie of Norwich and to other singular persones of the same Citie by S^r Thomas Tudenham, Knyght, John Heydon and others.

First the said Meir and Comonalte compleyn of that, that where ye said City of Norwich was an auneynt Cite and of old tyme had bailiffs and a comonalte corporat in hem self of tyme that no mynde is of, and wher King Herry the fourth [separated it and all its suburbs etc. from the County of Norfolk], which precincte and circuite extendith hymself by all the touns hameletts etc., “ut rei veritas est,” nevertheless the said John Heydon, maliciously disposid, causid certeyn presentments to be made agayn the meir and comonalte of the seid Cite of that, that the said late meir and comonalte shuld haf incroched to theym the hameletts and touns aforesaid etc.; And the said John Heydon, that tyme being recorder and of ye special counsail and trust of the same Cite, confederid w^t the priour of the church of the trinite of Norwich, and w^t out any knowing of the said meir and comonalte aperid to the said presentments and of his untrouth himself put into the kyng’s courte pleggs² for the seid meir and comonalte and made fyne for them in such some w^t the Kynge agayn reson and trouthe wher they wold and myghte by the law a traversed the said presentment; to that ende and intent that the same meir and comonalte shuld, by that untrue fyne making, be barrid and stoppid at any tyme to plede the said hameletts and circuites to be parcell of their forsaid Cite or in any wyse contrary to the mater conteyned in ye presentment. And of the said fyne the said Heydon was one of the pleggs w^t out warrant of the said meir and comonalte; as in a copy of the said presentments and of the said fyne made, it is pleylny conteyned. And to that intent that this untrouth thus done shuld be longe hidde and unknow to the seid meir and comonalte the said John Heydon of his ymaginacion causid the said fynes of xxviiiⁱⁱ affixed upon the said meir and comonalte and upon other persones for the said acrochment supposid with dissey^{te} for to be paid in secrete maner, the said mair and comonalte not knowyne.

Item. Wher it was so that Alice Dutchess, that tyme Countess, of Suffolk late in hire persone cam to the said Cite disguised lyke an huswife of the countre and the said Sir Thomas Tudenham and two other persons w^t her also disguysed etc. [here follows the story related by Blomefield III. 154; that the party entering Lakenham Wood were stopped by Thomas Ailmer one of the keepers of the City Ditches, who did not know them. A fight ensued between him and Sir Thomas. Though the Mayor arrested and imprisoned him

¹ This document has been printed in full in *Norfolk Arch.*, i. 294.

² Pledges.

and others, Sir Thomas and the Countess were ever afterwards set against the City.]

And it is so over more that when John Heydon late was recorder of the said Cite, takyng of the said Meir and citeseyns a resonable fee, as to the recorder theer is accustomed, he so beyng recorder interlacid hymself w^t the pryour of Norwich that tyme being in travers w^t the said meir and comonalte and discovered the prevyte of the evidence of the said Cite to the said Priour, because whereof the meir and comons of the said Cite dischargid the said Heydon of the said condicion of recorder; because of which the said Heydon took also a displesir agayn the said Cite. By malice of which displesires of the said Duchesse S^r Thomas Tudenham and John Heydon, y^e Duke of Suffolk yen Erle in his persone, upon many suggestions be ye said Tudenham and Heydon to hym made that the meir aldermen and comonalte forsaide shuld have misgoverned the said Cite, laboured and made to be take out of the chauncery a commission of oyer determyner. And therupon at a session holden at Thetford the Thursday after the fest of Seynt Mathy thapostle the 3eer etc. [28 Feb. 1443], the said S^r Thomas and John Heydon fyndyng in their conceyt no maner mater of trouthe wherof they myght cause the said meir and comonalte ther to be indited, ymagyned thus as insueth: first they sperde an Inquest¹ ther take in a chaumbre at on Spilmer's house in which chaumbre the said T. logged and so kept thayme sperd.

And wher that it was so that on John Gladman of Norwich which was ever and at this oure is a man of sad disposicion and true and fethful to God and to the King, of disporte as is and ever hath ben accustomed in ony Cite or Burgh thurgh al this reame² on fastyngong tuesday made a disporte w^t his neighbourghs having his hors trapped with tyneseyle and otherwyse dysgysyn things crowned as King of Kristmesse in token that all merthe shuld end with ye twelve monthes³ of ye yer, afore hym eche moneth disgysd after ye seson yerof, and Lenten cladde in white with redde herrings skinnis and his hors trapped with oyster shelles after him in token y^t sadnesse and abstinence of merth shulde followe and an holy tyme; and so rode in diuerse stretes of ye Cite w^t other peple w^t hym disgysd making merthe and disporte

¹ Fastened up a jury.

² Blomefield III. 155, after "reame" reads "on Tuesday in the last ende of Cristemesse viz. on Fastyngonge Tuesday," that is, Shrove Tuesday (Halliwell, Toulmin Smith, *English Gilds*, Brand *Antiquities*). The difficulty raised by its mention here is referred to in Introduction VI. 9.

³ Blomefield explains this to mean the 12 months ending with February, March being reckoned as the 1st month of a new year and specially as the month associated with Lent. No other explanation seems possible, yet it is certain that Gladman's procession was on 24th or 25th January.

and pleyes; the said Thomas and John Heydon amongs many other ful straunge and untrue presentments made by perjury at the seid Inquest caused the seid meir and comonalte and the said John Gladman to ben indited of that, that thei shuld an ymaged to a made a comon rysyng and a corouned the said John Gladman as kyng w^t coron ceptre and diademe wher thei never ment it ne never suych thyng ymaged as in the said presentment it shewith more pleyn; and by that presentment, w^t many other horrible articles theryn comprised so made by perjury thei caused the fraunchise of the said Cite to be seaid into the Kyng's handes to the harmes and costs of the seid meir and comonalte of x^m li.

MS. in Muni-
ment Room,
Case 9c.

CCCVII.—*Presentments by the Ward of Conesford.*¹ [Translation.]

City of Norwich—Ward of Conesford. The Jury present that Thomas Tudenham of Oxburgh in the County of Norfolk Knight John Heydon late of Baconsthorp in the County of Norfolk Gentilman John Ulverston late of Henham in the County of Suffolk Gentilman John Belley late of Wyngfield in the County of Suffolk Gentilman William Prentys of Castellacre in the County of Norfolk Courtholder and Thomas Brigge of Eggefild in the County of Norfolk Gentilman [on 20 Oct. 13 (? 11) Hen. VI.] at Norwich . . . unlawfully interbound² themselves together combined pledged themselves and agreed³ that they would maintain together all plaints and matters in the Counties of Norfolk Suffolk and Norwich and hold them in their hands [in order to extort money at their will and to make all the officials of Norwich do their will].

[Inter alia] On the feast of SS. Philip and James 14 H. VI. (? 11) contrary to due election they made William Grey Mayor whereas the citizens duly elected John Gerard.

On 20 June 16 Hen. [1438] they threatened to make William late Duke of Suffolk the heavy lord⁴ of the Mayor and Commonalty and informed the Duke that they wanted to rise traitorously against the King and thus compelled them to make fine with £40 13s. 4d.

They falsely indicted the citizens, before Sir J. Fortescue and his fellows appointed to hold a Commission of Oyer and Terminer, of divers horrible transgressions and, naming 10 citizens, Robert Toppes William Hempstede William Ashwell Peter Laurens Walter Geffreys Richard Botelar William Dyme William Lote Alexander Dylham Henry Sturmer and very many others, indicted them for high treason⁵ and Tudenham, Heydon, Ulveston, Belley and the Duke of Suffolk on 12 June 21 Hen. VI.

¹ No doubt of the same date as the last document, part of the case prepared against Tudenham, Heydon and others.

² Interligauerunt.

³ Affidaverunt et conuenerunt.

⁴ Gravem dominum.

⁵ De alta prodicione.

[1443] threatened them that if they made answer to these indictments the liberties should be seized and they would be hung and lose their lives. With force of arms they threatened Robert Toppes with forfeiture of lands and hanging unless he paid the King through the Duke £15 which he did; and further the Mayor and Commonalty paid the Duke in consequence of his threats 1000 marks to have peace, though they were not guilty of any of the offences presented. And many other oppressions and extortions the aforesaid Thomas Tudenham [and the others] did to all the citizens by pretext of their unlawful interbinding whereby the citizens were damaged¹ to the value of 20 thousand pounds and innumerable citizens through fear of oppression and extortion departed from the city and altogether left it as though deserted etc.

Two Letters of the Duke of Norfolk about Wetherby.

MS. in Case 90

CCCVIII.—“Right trusti and right Welbelouyd We grete you hertili weel And for as moche as we haue verray knowelage þt ye be not weelwilled ne frendly un to Thomas Wethirby which standith in fauoure of our good lordeschip of whom ye desire to have suretie of pees as we ben enffoormyd We pray you hertily that ye wil for our sake and at the contemplacion of these oure lettres graunte the said Thomas peasibly to go and to come in to youre Citie withoute trouble for all suche and singuler materes un to such tyme as we come in to Cuntre our self wherin ye may deserue right good thank of us and cause us therfor in tyme comyng to perffoorme youre desires resonables. And þt ye wil send us wurd written ayen be the bryngere of this lettre the effect of youre entents how ye will be demenyd in this mater. And right trusti and right welbelovyd the holy Trinite haue you euer in his blessed gouernaunce. Wreten undir our signet in our Castell of Framelyngham the ix day of Octobr’.” M. Norff.

“Welbelouyd we grete you weel. And for as moche as we haue wreten un to you afore-tyme for oure right trusti and welbelouyd seruauent Thomas Wetherby esquier that ye wolde be fauourable to him at the instaunce of oure writing We haue conceyuyd weel be credible informacion that ye haue shewid him no fauoure for oure sake but euer faynyd newe causes of malice ayens him Wherfor we lete you haue very knowelage that we be his right good lorde and wil supporte him in his right Desiring you that ye do him right and lawe in suche materes as he shal have a do amonges you And that ye restreyne your malice and trouble him no more ayens conciens for if ye do we wil it be refoormyd in such wyse as shal be non ease to you as far as lawe and consciens requirith. Wreten undir our signet at Framelyngham the xxviii day of Decembr’.”

M Norff.

¹ Deteriorati.

V.—Thomas Wetherby, the Abbot of St. Benet and the New Mills, 1433—1482.

[An account in English of Wetherby's Controversy and the Disputes stirred up by him between the City and the Abbot of St. Benet concerning the New Mills in the time of Hen. VI. and renewed under Edward IV.].

ib. Alb. Norw.
fol. lxvi. &c.

CCCIX.—Mem. that the xjth yere of Kyng Herry the vjth A grete controversy ffelle in Norwich betwix one Thomas Wederby which hadde be maire ij tymys and suche adherentes that he hadde gaderde unto hyme one the oon parte And the commonalte and the grete part of the aldermen and of the Comons one othyr parte for the eleccion of the maire. For the seid Thomas Wederby beyng A man of grete goodes and grete pryde laboryd and wolde a made one William Grey maire and ledde hym home for maire contrary to the same othe to the trewe eleccion conteynyd in the Charter in that be halue graunted to the Citezeyns and Commonalte And the Citezeyns and the more part of the Aldermen seyng the on trewe delying of the seid Thomas Wedyrby and howe it was contrary to the trewe eleccion they abbode styлле in the Guydhall in grete troble for as moche as the seid Thomas Wetherby than beyng maier ffor grete wreth and pryde wolde nott come ageyn on to them and so they and the moore part of the aldermen accordyng to the trewe eleccion Ayenst evyn in the ffest of the Postelles Philipp and Jacob [1 May 1433] whiche is the day of the Eleccion ledde home Richard Spurdaunce for to be maire the next yere ffollowyng And so he was. And the seid Thomas Wederby seing that he wasse put frome his purpose contynually yere by yere At the day of the eleccion of maires and also of Sherreves and other officers he w^t suche adherents as he hadde gadderd on to hym caused gret troble at euery eleccion to the intent for to An hadde his purposse that he might arewleyd alle. And the more part of the Aldermen and the Commons seyng his presumptuousness and that his demenyng was nat good on to them nor profitable to the Cite Putt him frome his purpose yere by yere by trewe eleccion. He seyng A cowde nat haue his Intent with suche lordschippe as he lende on to make a subgescion¹ on to the kyng than beyng That ther cowde be had no trewe and pessabylle eleccion with in the Cite of Norwich Wherfore he labored a Commyssyon directed on to the Byshop of Carlhill And one Hooday a Judge for to come and see the eleccion to be trewly doon and pessably Whiche come downe at his cost and werre there.² Not w^t stondyng the trewe eleccion was ayens his intent Yett he contynued in his malyce gretely to hurt the Cite for by cause he cowde not have his entent caused the Abbotte of Seynt Benettes and othyr surmysyng that the Cite hadde don them

¹ Suggestion.

² See *Proceedings of Privy Council*, No. CCXCIX.

wrong Wher they and the Cite hadde ben in good peas afore seyng that he wolde helpepe them w^t his goodes And they wold sette ther uppon. And so by hys meene And thers by hys labour ther wasse sewed A Comysion of Oyer Determyner the xix yere of the seid Kyng Herry the sext Directid to John ffray William Paston and Thomas Todenham Knyght and other to enqueren of many sondry thyngs As it apperith of Record in the seyde Comysysson Whiche was sotyn on by the seyde John ffray William Paston and Thomas Todenham atte Thetford in the Counte Norff^e on the Monday next afore the ffest of Seynt Petyr in the Chene the xix yere of Herry the Sexte¹ Ther the seide Thomas Wederby And the said Abbote and other w^t suche lordship as they haddyn gote on to them Indicted the Maire Sherreves diuers that hadde been At that tym Wherof dyuers articles as yt apperith of recorde² And whan this wasse doon the seid Thomas Wederby and suche adherentes As he hade gote on to them feynnyng them selffe to be ffrendys of the Cyte caused the maters by twyn the said Abbot and other betwyn the Cyte and them to be putt in the Erle of Suffolk than beyng seyng³ that he shulde informe the Erle of Suffolk that he durst undertake that the Cite shulde haue ther entent notw^tstandyng they ffeythid⁴ hym nat Wolde nott be bounde under the Comone Sealle for to stonde to the Awarde He seyng⁵ that to make them to ffeythe hym better And to bryng hese signester purpose Abowten seyng A shulde fynde frendys of hys to be bounde for the Cite that they shulde abeyn the Awarde he durste A venterde wele inowe And so certeyn personys at his desyer wer bounde he takyng uppon hym wyth other ate his request for to solyste the mater on to the seid Erle and afterwarde the seid Erle made a warde in the whiche is comprysyd that the maire shereves and Commonalte shoulde be bounde in the obligation of an *C li* under the Comon Seall to the Abbott of Seynt Benetts to that entent that all suche thyng as towched be twyn the Cite and the seid Abbott comprysyd in the seid a warde shulde be obseruyed for euer more be the same Cite which a warde was indented under Sealle of the seid Erle. And whan y^t was redde Amongst the Comons and undyrstodyn than the Comons wher forther owte w^t the seid Thomas Wederby than ever they ware before seyng that y^t was by hys on trewe delyng and suche as he toke on to hym for lake of informacion And on shewyng of the trowth to the seid Erle the warde was made ageyns trouthe and concyens in his defaute And ther by they under stode that his entent was for to destroy them for they under stode by the warde

¹ 31st July, 1441.

² In the margin in a later hand is written "Apud Thetford prim' oyer determyner Febr' xix Hen' VI. continetur in libro papiri regalis fol. vii." (i.e. *Book of Pleas*).

³ Saying.

⁴ Believed.

⁵ Seeing.

that they shulde loos the myllys whyche shulde be an utter desolacion for the Cyte And shuldee cause the pepyll to goo owte of the Cyte And that he knowe welly nowe for they said thate ther werre iiij Auncenne Mylles with in the seid Cite euer sone the Conquest and before, whych stodyn hender the seid Abbotts maner¹ an myllys which stoppude all the seid waters comyng from his milles and maner and thoo dede hym more harme than ther newe mylles doon for they stonde forther of from hym And also they seidyn that the same Auncenne myllys werre the Conquerrours for they seid that ther was olde wrytyng in the halle that Herry the Conqueror sonne gave owt ij of the seid auncenne mylles in j hows which was parcell of his Borowe to on' Baldryke of Tauerham with other thyngs comprysed in the same wrytyng whyche Myllys was calde after warde Bumpsted Myllys And as for the other ij mylles werre callyd Calke mylles werre parcell of the Kyng's Burrowe for they stodyn uppon the Kyng's streme wyth in y^e cite for y^t paide viij^d a yere callyd longgold² to the Kyng wich is nowe parcell of the ffee ferme of the Cyte as y^t apperyth in the bokys of the Cite And also in the Countis of the maner of Horsforth which is nowe the lode³ Dacrys And as for the mydestreme y^t was kytt⁴ owte by twix bothe Auncenne mylles by y^e Comons upon her⁵ owne grounde for by cause the seid auncenne mylles stodyn longe decayde in somuche that it hadde be leke to be a desolacion if the Cite hadde not the newe mylles by good dysspoyd pepyll A be reredde in comfort of the Cite And as wher the Abbott a ledged y^t he and hys prodecessours myth Rowe wyth his botes from hys mylles and his maner on to the heye see w^t owte tym of mynde of man thay say that tyll the water was kytt owte by the Comones he myght nott rowe be twyx the seid auncenne milles from hys maner and mylles but after the kyttyng owte of the seid water tyll the makyng of newe milles which was not long be twen Wher for the Comones seid that the Abbott shude neuer have ther obligacion under ther comon Sealle in destruccion of the Kyng's Cite to performe that a warde And so they seid to the seid Thomas Wederby and badde him save them harmeles that were bounden atte his Instaunce and covene And after this for the dylyvere of the warde Anno xxj^{mo}⁶ grett labours were made be the seid Wederby and hys adherentes and the councell of the seid Abbott's to have hadde the seid obligacion of an C *li* under the Comon Seall of the Cite And the Comones wold never agree And so after warde in the day of the convecion of Seynt Poule⁷ Anno xxj H. vjth the seid Thomas Wederby and the Abbott's Councell and other that they cowde gette ouer to them come to Norwich and caused on

¹ Manor.² Landgable.³ Lord.⁴ Cut.⁵ Their.⁶ Henry's 21st regnal year began 1st September, 1442.⁷ 25th January, 1443.

William Hempsted that tyme beyng maire to sette a Semble And so he dede which Semble hewlde from [blank] of the Cloke tyll v after And grete importunes labours made to have hadde the obligacion sealed under the Comon Seale the Comons of the Cite gaddred them to geder in a grett number And come to the halle and token a wey the Comon Seall to that entent that the obligacion shulde nott be a Sealyd And after this the seid Abbott w^t the seid Thomas Whederby and other made a Subgestyon to the Kyng and hys Councell ageynste the seid maire and many other that they werre rysers ageynst the Kyng And hadde owte preuy Seall by the whiche the seid maire And other come upp for to Apere in the Utas¹ of the purificacion of our lady they understodyn wele that the seid Erle was her gret hevvy lord² by cause hys a warde was not abeyd. On the day be for her apparens they seiging that they coude nott have no favour of hym zedyn³ to Grenewiche to the Duke of Gloucestr' And to informe hys lordeschip desyryng hym to be her good lorde And he promysyd them to be at Westminster the next day at ther apparans And so they come home to London and made couvenaunte for to suppe togeder At the Kyng's Hedde in Chepe And ther was one Benet Joly whiche was on of them that come uppe by prevy Seall seid that he wold goo to se hys horse At a Nynne⁴ by Byschoppis Gate And come to them to supper And the seid Abbott and his counsell and swych adherentes and grete supportacion that he hadde hadde seriantis of armys comaundement for to arest them in London be fore ther day of apparans of the Prevysseales And sett them abowtyn in London the cause was as it was seid for asmoche as yt was understand that they hadde benne and compleynde to the Duke of Gloucestre a seriant of armys mett with the seid Bennett Joly at hynne And come to hym And haskyd hym yffe he ware of Norwiche and he seid zee Than seid the seriant of armys that he was a traytour And a Ryser ageynst the Kyng And that he was one of thoo⁵ for to make a newe Kyng And so he ledde hym forth to pryson And this tyddyngs come to the maire and to the resydue of the fellashipp to the Kyng's Hedde in Chepe ther they wern at supper. And so they understode that Seriauntis of Armis was abowte the Townne for to seke them to that intent that they shulde not have ther ffre apparans for grete supportacion ageyns them sum yeden to seynt Marteyns and sum to Westminster And the seid William and the maire Abode and peryd the xiiij day of ffebruary be fore the lords and he was comytted on to the ffilete and ther abode tyll the xxvj day of Marche than next folowyng And his ffyn was l*ii*. Also will⁶ the meyer was in the ffilete they hadde owte a newe oyer determiner ageyns the Cite And ther uppon sate Syr John floskue⁷ And other Justic'

¹ Octave.² Their determined enemy.³ Rode.⁴ An Inn.⁵ Those.⁶ While.⁷ Fortescue.

at Thetford the Thursday after the ffeſt of Seynt Mathi' in the yere and reigne of Kyng Herry vj xxj^{ti} And ther be mygth of the partiez the Maier Schrevis and Comonalte and many other were wrongfully indicted And the seid oyer determiner was a Jorny^d from thens to Norwiche the iiij^{te} day of Marche than next folowyng And processe was made ageynst the Meyer Sherevys and Comonalte And the Cite than beyng with owte gouernaunce the seid Thomas Wedyrby and his adherentes made one Thomas Delrow to appere for Attorney for the Meyer and Sherevys and Comonalte, the Maier that tym beyng in the ffilete And pletyd a Plee for them a fore none and forth wyth the same day at the request of the seid Thomas Wedyrby and his said adherents the seide Thomas Delrow relynquyste the Plee And put them in the Kyng's grace And the oyer determiner was ajorny^d ageyn to Thetford the xiiij day of Marche than next folowyng And ther be Jugement the ffraunchez was seassyd into the Kyng's hande Which Indictaments Plea and Jugements apperyth of Recorde as it folowyth exemplyfyed hereafter. Item the same Thomas Wederby and hys adherents the seid William Hempsted than beyng maier beyng in ffilete in pryson the xth day of Marche the seid xxj yere toke the Comon Seall owte of the Comon Cheste And selid an obligacion of an C*li* to the Abbot of Seynt Bennetts And an other l*li* to lord Brouns Byshopp of Norwich And an other of l*li* to the Pryour of Norwiche Accordyng to the a warde of the Erle of Suffolk wyth owte assente of the Maier and Comonalte etc. And delyvered them to the parties. Item the seid Thomas Wedyrby and his adherentys in the mene tym toke upon them to be rewlars of the cite And pullyd up the ffilete gatis of the mylis and decayde them so that the Bakers were full fayn to syke^s myllys sum tyme in the yere x myle abowte Norwiche to the grete hurte and skarsseness of the Cite And so it stode decaid many yeris.

Item postea eodem Anno vicesimo primo die Maii Anno regni Regis predict' Rob^{tus}. Aleyn et Johannes Hyntewode fuerunt vic' Ciuitatis Norwici et Johannes Clyfton miles Custos et gubernator eiusdem Ciuitatis virtute literarum domini Regis patentium usque Crastinum sancti Martini Anno regni eiusdem Regis vicesimo sexto.⁴ The whiche day the maire and Comonalte of the seid Cite wore restoryd to their ffraunchez and libertez late in to the seid Kyng's hande seasid name of distresse As is shewyt by Jugement ther of before our lord the Kyng at Westminster at the seid Crastino yelden more fully as apperyth of Recorde Wher of the seid Maier and Comonalte have wrytyng under the grete seall of our lord the Kyng Exemplyfyd⁵ And upon that lyke maner William Hemsted meyer Raffe Segrym and Thomas Aleyn which wer Shereves

¹ 28th Feb., 1443.² Adjourned.³ Seek.⁴ 12th Nov., 1447.⁵ The next Document called "Restitution of the Liberties."

tyme of Seassyng for seid were restored at the seid Crastino to thei office in the State as they wer fyrst And the seid William Hemsted occapyd from thens on to the Tuseday next after the ffest of the Trinite¹ And ther for the seid Raffe and Thomas occapyed on to the ffest of Seynt Mighill tharch aungell than next folowyng Whiche exemplyficacion folwyth in thes wordys: [Here follows the Exemplification of the Restitution of the Liberties.²]

CCCX.—And after that in the yer of Kyng Edward the iii^{ti} in the xxi yer³ the Abbott of Seynt Benett's toke an accion ageyns the Meier Citizens and Comonalte in a ple that they xulde yelde him an C/i upon An obligacion which Thomas Whetherby and his adherentes made and delyvered to hym in the absens of the Meier wyll he wasse in flete and ther upon a plee wasse enteryd And pletyd As yt here folowyth.

fol. lxxii.

Termino pasche A^o r' r' E. IIII^{ti} xxi^o R^o CCCVIII.

The Mayor etc. in mercy for several defaults etc. viz. on the 10th day of March, 21 H. VI., the Mayor Sheriffs etc. had signed a bond, etc. A day was given in the Octave of Trinity.

And this mater of lawe wasse contynued tyll Michell terme next after, whiche tyme in the same terme it wasse agreyd be the seriauntes be fore Justice of the Comon Place⁴ on bothe sydes that the opynyon of [the] Jugez wasse with the Cite that the ple of the Cite wasse good and lafull to an inbarred the accion of the seid Abbot. [The citzens denied the debt on the plea that at the time of the making of the obligation their Mayor was imprisoned in the Fleet by covin of the Abbot.⁵ The Abbot maintained that their Mayor was then "his own master and unrestrained."⁶] And the opynyon of Jugez of the Kinge³ Benche and of the Cheff Baron of the Eschequier wasse ffelt and ther opynyon wasse the same wey. And the Abott under stondyng this he wold never call ther upon after.

fol. lxxiii.

The same yer he toke a nother accion ageyns the Meyer Sherevys and Comonalte as yt apperyth in thes wordes folowyng de verbo in verbum [about damaging his property through their mills]. This last wryt came never to plee. And the Abbot understondyng the oppynyon of the Jugez neuer called upon them after but discontinued his accions. And William Hemsted that tyme maier wasse in pryson at the tyme of the obligacion a

¹ This was the regular day on which the new Mayor entered on his office.

² No. CCCXII. ³ Edward's 21st year began 1 March, 1481. ⁴ Pleas.

⁵ De covina eiusdem nuper Abbatis viz. apud London in parochia sancte Brigide Virginis in Warda de Faringdon extra et ibidem in priona detentus quousque ipse Maior per vim et duricionem imprisonamenti prefati nuper Vicecomites et Communitas scriptum illud eidem nuper Abbati fecerunt. ⁶ Sui juris ad largum.

forseid as yt apperyth by mater of Recorde enrollyd in the Comon Place under the Kyngs Seall of the same place exemplyfyd as yt folowyth: [Here follows the certificate of the imprisonment by the Lieutenant of the Flete.¹]

Then follow

1. A Petition of the Abbot against the Mayor etc.
2. Answer of the Mayor etc. to the Abbot.
3. Replication of the Abbot.
4. Rejoinder of the Mayor.
5. Depositions taken at Norwich by Royal Writ on Feast of St^t James the Apostle in the "Chapel in the felde," 22 E IV.

Proves for Mayor Shereves etc.

Two men aged 95 and 78 deposed that in their youth there was no water passage through by Calk mills but they had to draw out and carry their boats. Two others aged 99 and 98 depose that they saw the new trench for the river cut.

Proves for the Abbot.

John Salman of Ludham deposes that at the time of the troubles he lived on the Abbot's ground. The meadows were flooded by blocking the water in the mills. For 6 years the mills were stopped and the meadows were dry. Another witness speaks of an agreement to keep a gauge in the water and measure it and keep it level, with good effect.

CCCXI.—*Certificate of the imprisonment of William Hempstead Mayor of Norwich in the Fleet Prison in 1443, granted by the Lieutenant of the prison in 1482.*

MS. in Case 9d.

To all Crysten men which this present wryting shall se here or rede I Nicholas Daleygh Lyefttenante of the Kynges prison in London called the flete sende gretyng in our Lord God everlastyng And by theȝ presentȝ letter you alle haue knowyng that it is used and hath be of long auncien tyme used and accustomed that every lyefttenante of the seid prison for his tyme beyng under ony Wardeyn of the same prison to do Wrytyn a Regester in a grete Boke called ther A ligger² the names of every prysoner in his tyme cōmytted and delyvered in to the seid pryson of flete And be whom he is or wasse so cōmyttyd in to the same and the daye and yer of his resevyng so ther in to the prison And all so the day and yer of his delyveraunce ought of the same And more over for as moche as yt is merytorius and medfull for every trewe Crysten man to testifye and shewe the trewe of maters done in tyme and yers farre passed and nowe At this tyme or percase here after shall fall in issue or varyaunce be twyx partie and partie Wherupon for lacke of

¹ No. CCCXI.

² A ledger.

knowlyche myght folowe periure or wrongfull condemnacon to ony partie therfore it is in and of A mater nowe beyng in questyon and contrauersye upon this poynt Whether one William Hensted whiche wasse maier of the Cite of Norwiche as yt is seid in the monethes of ffebruarii marche Aprill and Maye the xxj yere of the reigne of Kyng Henry the VIth late in dede and not of Right Kyng of Englund were imprysoned in the said prison or prisoner in the same ate ony tyme wyght in the seid iiij monethez ye or naye¹ I the seid Nicholas Dalyght nowe lyvetenante abovesaid desyred and required for the love of God to serche shewe and certify that I can say or shew consernyng the mater and poynte aforesaid therupon I certyfy sey notyfye and will that yt be knowe to alle trewe Crysten men by thez presente³ that I have seen redde and shewed a Boke in the seid prison called a ligger consernyng to the maters aforesaid made and Wretyn in the tyme and whyll that Robte Howchyn wasse lyvetenante and William Wensor Esquyer thenne Wardeyn of the seid prison of flete that is to seye the xix. xx. and xxj yeres of Kyng Henr' aforesaid in the whiche Boke a monge other thyngs it is wrete and regesterd in thes forme and thez wordez folowyng Wittms Hensted de Norwico merchaunte per consilium domini Regis xiiij^{mo} die ffebruarii anno regni Regis Henrici sexti vicesimo primo comissus fuit prisone predictae salvo custodiendus. Postea scilicet vicesimo sexto die mensis martii anno supradicto predictus Wittms Hensted tradebatur in batt et sic in prisona predicta deliberatur. And thez forseid seynges certyfycat and wrytyng of me the seid Nicholas Daleygh be god and trewe in every poynte accordyng to effecte of same so God me helpe and all seynte³. And fore more wynnesse of the same to thez presente letters I have sette to my seall and subscribed my name at London the xxv. daye of June the xxj yer of the reigne of Kynge Edward the iiijth after the conquest etc. In cuius rei testimonium sigillum nostrum ad breue in Banco sigilland' deputat' apponi fecimus Teste T. Bryan apud Westm' tercio die Julii anno regni nostri vicesimo secundo.² fforster.

CCCXII.—*Restitution of Liberties* 26 H. VI. (An exemplification granted to the citizens 1 Dec. 1447). (*Case 9 d.*)

Rex omnibus ad quos presentes litere pervenerint salutem. Inspeximus tenorem recordi et processus loquele que fuit in curia nostra coram nobis de restitutione libertatum et franchisesiarum ciuitatis nostre Norwici quem coram nobis in Cancellariam nostram venire fecimus in hec verba. Placita coram Rege apud Westmonasterium de termino sancti Michaelis anno regni regis Henrici sexti post conquestum vicesimo sexto R^o XXXIX. inter placita Regis. Norff. Alias scilicet die Jovis prox' post festum sancti Mathie Apostoli anno regni regis Henrici sexti post

¹ Yea or Nay.

² 3rd July, 1482.

conquestum vicesimo primo apud Thetford coram Johanne Fortescū milite et Willelmo Westbury Justic' Regis ad inquirendum etc.

[Here follows the recital of the riots etc., as above in No. CCCI.]

Cuius quidem placiti recordum Dominus Rex postea certis de causis coram eo venire fecit quod coram eo jam residet. Et modo scilicet in crastino sancti Martini isto eodem anno coram Domino Rege apud Westmonasterium venerunt predicti Willelmus Hempstede Maior Communitas et Ciues Ciuitatis predicte per Thomam Croxton Attornatum suum et proferunt hic in Curia breue Domini Regis clausum de privato sigillo suo Justic' suis hic directum quod sequitur in hec verba: Henri be the grace of God Kyng of England and of Fraunce and lord of Irlande to our right truste and well beloved Johan Fortescu Knyght oure chief Justice of our benche and his felows Justices of the same place and to everyche of hem gretynge. Forasmuche as the liberties and fraunchises of oure City of Norwiche were be you oure said chief Justice and other oure Justices of oyer and terminer seased into oure handes for diverse trespasses riottes usurpacions mespricions and offences where of the Maire Citeseins and Comonalte of oure said Citee of Norwyche was afore you oure said chief Justice and oure other said Justices of oyer and terminer endited and convict where of the record is nowe afore us and sithen the said citeseins and Comonalte made with us a fine of m' marks for all the said riotts usurpacions mesprisisions and offences whereof thei were endited as hit is aforesaid and the said fyne have paied us in the Receipt of oure Eschequier Wherefore we woll and charge you and also straitly command you that ye restore hem to yeir liberties and fraunchises to have and occupe to hem and hes successours as entirely and frely as thei had the said liberties and fraunchises at the tyme of the said seisine y^r of into oure handes. Yeuen under oure prive seall at Westminster the viij. day of Novembr' the yere of oure regne xxvj. Et cum hoc iidem Willelmus Hempstede communitas et cives petierunt quod ipsi ad libertates et franchises suas ciuitatis predicte iuxta formam et effectum dicti brevis de privato sigillo restituantur etc. Super quo visis et per curiam intellectis premissis omnibus et singulis consideratum est quod predicti Willelmus Hempstede maior communitas ac cives civitatis predicte ad libertates et franchises predictas restituantur, habend' et occupand' sibi et successoribus suis adeo integre et libere prout ipsi eas habuerunt tempore quo libertates et franchises predicte in manus Domini Regis occasionibus predictis capte fuerunt et seisite. Salvo semper jure Domini Regis si quod etc. Nos autem tenorem recordi et processus loquele predicti ad requisitionem dilecti et fidelis armigeri nostri Thome Danyel per presentes duximus exemplificandum. In cuius testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium primo die Decembris anno regni nostri vicesimo sexto. [1 Dec. 1447.]

Preston.

EXTRACTS FROM LEET ROLLS.¹ *Translated.*
(Case 5 b.)

Leet Roll of 1288.

CCCXIII.—*Leet of Cunisford on Monday next after Ash Wednesday² in the 16th year of the reign of King Edward.* (15 February 1288.)

The Capital Pledges [for the subleet of South Conesford] that is to say, William Lippard, Silvester Siger, William King, Richard Erych, Richard Undermel, William Inge, Henry Attewro, Richard son of Alexander Botman, John Slabbard, Ralph de Suthgate, Hugh de Bromholm, Thomas de Surlingham present on their oath that Ernald de Castro wounded Hugh de Bromholm and drew blood from him contrary to the peace. Likewise they present that Nicholas le Jay wounded a certain clerk, a stranger, and cut off two fingers of the said clerk and the hue was raised there³ and the said Nicholas was taken and imprisoned at the suit of Hugh de Bromholm, constable of the aforesaid leet⁴ and Ernald and others escaped Concerning those who sell and buy corn, they present that Robert Gerveys buys corn before it comes to the market, whereby the Bailiffs &c. [*i.e.* lose their custom] They present that all the alewives sell two gallons at one penny and two gallons at one penny halfpenny All [the jurors] are in mercy for concealment.

Thomas son of Nicholas de Coventry, William son of Walter le tanur, Geoffrey de Lingwode, John de Lindraper, Roger le Marechal, Nicholas le Marechal, William de Irstead, William Justice, John de Surlingham, Alexander de Sarterin, Hugh de Rokelund, John de Bedford peyntur, [Capital Pledges for North Conesford], being sworn present that William de Sessions made hamsoken at the house of Agnes de Redenhall, whereof Agnes raised the hue Alexander le Machun is not in tithing⁵ Simon the carpenter is not in tithing All

¹ These Extracts, as here translated, have already been published in Vol. V. of the Selden Society's series (Hudson, *Leet Jurisdiction in Norwich*) and are republished by permission of the Council of the Society. For an explanation of the Leet system, see Introduction XII., Preface to *Leet Courts*.

² Post carniprivium, either Shrove Tuesday or Ash Wednesday.

³ Hutesium ibi levatum fuit.

⁴ He would be Constable for the whole Leet of Conesford, not only for this subleet.

⁵ Non est in decenna.

the fishermen and poulterers buy meat and fish to heighen¹ the Norwich market² The Cellarer of Norwich has windows³ which are an impediment to riders and walkers in Ratonrowe William de Hemenhale and John de Stoke were indicted for larceny⁴ for that they stole seven coombs of barley and rye⁵ at the house of Alan de Bacton John Howard of Surlingham has his chattels at the house of Margaret Sumeres in the parish of St. Peter de Suthgate, and merchandises in the city and is not in tithing nor of the freedom of Norwich⁶ Ralph Perconal found and keeps a plank cast up by the river⁷ and has not delivered it to the Bailiffs.

Berstrete. Robert de Mendham, William Godynou, Henry Pope, Geoffrey de Ho discharged,⁸ Edmund de Stafford, Geoffrey Baldwin's son, John de Aschele, Henry de Hoylaund, Simon le Prude, Simon Ralph's son, Eudo de Tybenham, William Calf, Thomas le Neve present on their oath that Beatrix la Qwyte and Acilia her partner⁹ are wont to pull the fleeces of sheep¹⁰ and they pulled the fleeces of John Molle the chaplain's sheep and they stole a surcoat¹¹ of the price of 40*d.* at the house of Henry Gylur and the said fleeces and surcoat they took to the house of Geoffrey Munne who knew of the felony and harboured the parties Beatrice daughter of Robert Beumund raised the hue and pursued it up to the Tolhouse¹² Henry de Cawmbys is a thief and they hold him in suspicion and say that he is against the peace and clothes himself well and nobody knows what from¹³ and he is always roving about at night The Prioress of Carrowe and Robert Gerveys of Brakendenne make feed¹⁴ of the herbage in the city ditches and have pigs and sheep there in charge of swineherds and shepherds The anchorite¹⁵ of All Saints has stopped up the Cockey¹⁶ so that no one can pass by

¹ A local word for "to raise the price." It is still in common use, pronounced "hayn." The opposite word "to lowen" was also once used, but has died out.

² Omnes piscatores et pulletarii emunt carnes et pisces ad cariorandum forum Norwyci. ³ Fenestras. ⁴ De latrocinio. ⁵ Ordei et siliginis.

⁶ De libertate Norwyci.

⁷ Unum plankum per jactum fluminis.

⁸ Amotus.

⁹ Socia.

¹⁰ Evellere bidentes.

¹¹ Supertunicam.

¹² Secuta fuit usque ad Teolonium.

¹³ Bene vestitur et nescitur unde.

¹⁴ Pascunt.

¹⁵ There were several of these recluses in the city, the best known being one at St. Julian's Church. See Blomefield iv. 81.

¹⁶ Obstupavit Cokeyam. Cockey is a local word now used for a gutter. In the 13th century there were several in the city which were sufficiently permanent watercourses to be used as abutments of lands.

there Roger de Lakenham has sold Jewish meat, to wit, trepha¹ Roger Beumund has an extremely noxious muck heap² Robert Scot is wont to climb over outer walls by night and break through housewalls³ and do other felonies.

Manecroft. Parish of S^t Stephen. Stephen le Turnur, John de Keteringham, Thomas Sparwe, John Curthorse, Ralph Muddok, Thomas de Elmham, Laurence de Tacolston, Alan Barlisel, Paul Benedicite, Hugh de Wymondham, Richard de Aylsham, and William de Attleburgh clerk present on their oath that Roger de Lakenham drew blood of Richard Warinhale, and Richard Warinhale's wife raised the hue, concerning which they made no suit but secretly agreed among themselves⁴ All the men of Sprowston sell sausages and puddings and knowingly buy measly pigs⁵ and they sell in Norwich market the aforesaid sausages and pigs, unfit for human bodies Roger the smith of Nedham is wont to raise the hue on his servants night and day and has constantly done it since the last leet Walter Jolyf has made a certain watercourse⁶ over William Bele's [land, super W. Bele] where there never was a watercourse before and that to the nuisance of his said neighbour.⁷

Parish of S^t Peter de Manecroft. Peter Draheswerd (*s*),⁸ Roger de Wymondham (*s*), Robert de Postwyk (*s*), Roger de Biltham (*s*), Robert de Swathefeld (x), John Woderowe (*s*), Walter de Pulham (*s*), Hernald Pese, Peter le mustarder (*s*), Roland de Colneye (*s*), Andrew de Biltham (*s*), Geoffrey de Kirkby (*s*), Walter de Edythorp (*s*), John de Aschewell (*s*), John Gamage (*s*), Robert de Knapeton (*s*), Adam de Knapeton (*s*), Adam de Dunston (*s*), Henry de Senges (*s*), Ralph Sussam (*s*), Thomas de Banburgh (*s*), Jordan de Rykyng hale (*s*), John Raven (*s*), Richard de Plumstede (*s*), Roger de Ethil, Robert de Poringlond, Roger Beniamyn, John de Aschewelle junior. Robert of S^t Edmund, Richard de Antyngbam present on their oath that . . . Mathew Tusceynz with a servant of John Beumund and others

¹ Carnes Judaicos scilicet trepha. Trepha was, and still is, meat not prepared according to Jewish methods, and therefore rejected by Jewish butchers. The offence here is that of selling such meat to Christians. ² Fumarium pessime nocentem.

³ Transcendere muros noctanter et perforare parietes.

⁴ De quo non fecerunt sectam set clam inter eos concordaverunt.

⁵ Omnes illi de Sproxton vendunt hillas et pudinges, emunt scienter porcos superseminatos. ⁶ Cursum aque. ⁷ Ad nocumentum vicini sui.

⁸ All the Capital Pledges are not marked "sworn," only those marked "s."

whose names are in the roll of pleas¹ took and carried off a cloak of Roger de Rokathe and his dagger and his purse² and are still in possession of them . . . John Geggard bought a dead cow at Erlham and sold it for good sound meat³ in Norwich . . . Adam Cabel sells whelks⁴ with good and bad mixed together and is wont so to do . . . Geoffrey de Lenn sold an ill-tanned hide⁵ to Richard de Knapton junior and is wont so to do, and Thomas Spik sold him one likewise . . . John de Scolthorp's daughter stole by night at Hugh de Caister's house a bucket and cord⁶ and put them in the Jewry⁷ and Ralph Bird and Luke de Brunne met her going towards the Jewry and seized the cord and bucket out of her hands and kept them in their possession till Hugh de Caister gave them five pence and they said they found them in the Jewry, pawned there⁸ . . . William the Steward of the Castle⁹ seized William de Brok and cast him into the dungeon of the gaol.¹⁰

Parishes of S^t. Giles, S^t. Swithun, S^t. Margaret and S^t. Benedict.

Robert de Thwaite, Henry son of William de Eston, Geoffrey de Derham, John de Disce, Rener de Wreningham, Stephen de Brakne, Thomas Flaxman, John Ive, Walter de Tasburgh, John Hem, Nicholas de Kyningham, Ralph de Ludham present on their oath that . . . the miller of the Prior of Buckenham¹¹ undermines the city ditches and has made an encroachment under the bank¹² . . . Emma de Asschewelle bought of the servant of the parson of Pulham¹³ six coombs of corn and because she did not get heaped-up measure¹⁴ she kept back a halfpenny from him . . . Emma de Asschewelle and Martin Whiteside's wife commonly refuse bare measures¹⁵ of corn and malt . . . Alan de Ringgelond has fuller's blocks and dubs cloths¹⁶ . . . William Fish and

¹ In rotulo placitorum. No such roll of this date has been preserved.

² Colobium et anelacum et bursam. ³ Pro bona et sana carne.

⁴ Wylcos. ⁵ Coreum male tannatum. ⁶ Bukettum et cordam.

⁷ In Judeismo. The Jewry was at the south-eastern end of the Market Place.

⁸ Inradiata in Judeismo.

⁹ Le espenser du Chastele. Fr. *dispensier*, dispensator.

¹⁰ In profundo de gayole.

¹¹ The Prior of Buckenham's mill was a windmill on Chapel Fields. See *Streets and Lanes*, p. 19.

¹² Suffodit fossatos et fecit purpresturam submuralem. Murus was used for a bank as well as a wall. The stone walls of the city were not yet built.

¹³ Persone de Pulham. ¹⁴ Mensuram cumulatam. ¹⁵ Mensuras rasas.

¹⁶ Habet truncos fullonis et dubbat pannos. A fuller's block was either a trough in which the cloth was beaten as in a fulling mill (Selden Soc. *Leet Jurisdiction*, Introduction, p. xciv.) or perhaps a heavy block used as a rammer. To "dub" clothes was to do up old clothes and make them look like new. (Mun. Gildh. Lond. *Lib. Cust.*, p. 757.)

his wife secretly take (corn) in the market and hide it and carry it down out of the market into their shops, whereby the lord King loses &c. . . . Margaret Hoyn bought a bushel of wheat in the market and secretly carried it to her house whereby the lord King has lost his toll.

Parishes of St. Laurence and St. Gregory. Henry Milkegos, Ranulph le Blekstere, Richard le Dormur, Hugh Bene, Geoffrey de Jelverton, William de Bukenham, John de Erlham, Geoffrey de Smaleberthe, Martin de Tudenham, William Crisp of Ameringhale, Richard de Ling, Evesinger, Richard Coleman present on their oath that Agnes Gossip living in Pottergate buys by the greater and sells by the less¹ John Bogris met William, servant of Henry de Weston, going towards Lakenham Mill and drew a sword and assaulted and beat him and demanded of him whether he had any money wherefore they say that they hold him in suspicion and he is evil thought of All the dubbors of cowhide do fraudulently in their work The tanners have a gild² amongst themselves to the end that if one of the brethren forfeits to another he should complain to the Alderman, whereby the Bailiffs &c. . . . All the cooks and pasty makers warm up their pasties and meat³ on the second and third day John le Blekestere and Ranulph le Pessuner rode out to Brundale to meet a vessel laden with oysters⁴ and bought them whereby the Norwich market is heighened.

Parishes of St. John de Madelmarket, St. Cross, St. Andrew, St. Michael de Motstowe and St. Peter.—Geoffrey Faderman, William de Ludham (*s*), Seman de Blithburth (*s*), Robert le persone (*s*), Thomas March (+ in mercy because he did not come), Robert de Holveston (*s*), John de Schotesham (*s*), Roger de Framingham (*s*), John de Pulham (*s*), Nicholas Attebothe (*s*), Thomas de Saxlingham (*s*), Reginald le Grey (*s*), William de Bedingham (*s*), John de Rolesby (*s*), Thomas de Feltwell present that John de Coltishall has been in the city for two years and has not been in tithing to this day. Alexander de Sparham, tailor, who has been in the city for a year and more has not been in tithing. . . . Geoffrey le

¹ Emit per majorem (mensuram) et vendit per minorem.

² Notice will be taken of this and other similar entries in Vol. II. The Alderman mentioned was the head man of a Gild, not a city Alderman.

³ Omnes coci et pastiliarii calefaciunt pastillos et carnes.

⁴ Ad obviandum cuidam navi carcate de ostriis.

forestre made forstalment on the sergeants of the Bailiffs¹ Roger de Penteneye has some windows which are a nuisance and he bought them from Margaret sister of John le Mercer dean² of Norwich. . . . Alan de Costessye living in Coselaine is wont to get the merchandise of strangers outside the city and avows them for his own goods whereby the lord King loses his custom. . . . All the jurors are in mercy for concealment, for that they concealed that William de Rising has made a purpresture by a stone wall.

Parishes of Saints Simon and Jude, St. George before the Gates of Holy Trinity, St. Martin before the Gates of the Bishop.—William Pirmund, Adam Tiffanye, Henry Fourloves, Henry Cubyt, William Galiz, Richard de Wytton, John Bullok, Robert le May, Henry Buk, William de Norton, Ralph de Stibert, John Chilman present on their oath that Thomas formerly servant of William de Intewodde is wont to receive goods stolen at Yarmouth and bring them to Norwich to sell and sometimes he says that the goods are feathers Clement Herlwin has a pigsty outside the bounds of his house to the nuisance of the lord King's highway Peter Pirmund sells and buys of the chattels of Nicholas le Mouner³ and shares half the profits with him.⁴ John Janne bought from Alan de Catton eight drowned sheep and sold them for good meat. . . . Robert le Fuler spends much and has nothing to spend from and roves about at night⁵ and he is ill thought of for that it must have been he that stole⁶ the goods of John de Ingham at his tavern in the Cookrowe. . . . Richard, who married the daughter of Ranulph le pessoner,⁷ is not

¹ Fecit forstallum servientibus Ballivorum. To "forestall" here means to violently assault the sergeants in order to seize something from them, as a distraint taken from the assailants or their friends.

² The Dean of the City (not the Cathedral) answered to a Rural Dean but exercised the office of an Archdeacon, presiding in the Ecclesiastical Court called the Court Christian, which dealt with marriages and testaments and offences against public morality. The windows mentioned in this and other entries were wooden shutters.

³ This word is not "Monner" as hitherto written (*Norf. Arch.*, xii., 64; *Lib. Alb. Lond.*, iii., 167.), but "Mouner," *Fr.* Meunier, miller, *Lat.* molendinarius. This is clear from the seal of an Agreement between the citizens of Norwich and the merchants of Amiens and Corby, which will be given in Vol. II. Peter Pirmund was also "le Mouner."

⁴ Dat sibi medietatem lucri. This was contrary to city custom if Nicholas was not a citizen.

⁵ Multa expendit et non habet unde et est vacabundus de nocte.

⁶ Male creditur de eo quod furari debuit.

⁷ Fishmonger, piscenarius.

in tithing. . . . All the jurors are in mercy for that they did not present that John Ringerose impleaded Margaret Philips in the Court Christian¹ of pleas which do not touch matrimony nor testaments.

Leet Ultra Aquam, Parishes of St. Michael de Coselanye, St. George, St. Mary, and St. Martin.—Philip Fraunceys, Adam Cabel, Ranulph de Gouthorp, Robert Hasard, Richard son of Hugh de Melton (here a capital pledge, John the Smith, is wanting,² this one is appointed³), William de Wymundham, William Isoud, Henry de Hoveton, Bartholomew de Tassburth, Thomas Thurbern junior, Richard de Bunham, Simon de Hyndringham, Richard de Lek, John de Bukenham, Geoffrey de Rokelund, a capital pledge, did not come and Thomas de Melton is put in his place, Richard Beumund, William de Attleburth, Hugh de Bradefeld present on their oath that all the dubbers who dub cowhides make fraud in their work. . . . All the brewers⁴ have broken the assize, as above. . . . Roger Blackberd made hamsoken at the house of Alice de Worstede Simon de Melton is in mercy for grievous contempt because he would not take the oath⁵ when he was elected sub-constable⁶ by all the jurors.

Parishes of St. Augustine, St. Olave, St. Botolph, St. Clement, St. Mary Combust, St. Saviour, All Saints, St. James, St. Edmund the King, St. Margaret.—Roger de Hunworth, Robert son of Gervase, Robert de Donnewyc, John Knicht loksmicht, John de Brandon, Henry le Stotrere, Henry son of the Chaplain, Humphrey le Monjoye, Reginald de Catton, Adam Fegge, Richard de Stalham, Reyner de Schuldham, Warin le Skynner, Roger Abbot, Robert le Mitenmaker present on their oath that Geoffrey de Wyleby has straitened the King's highway with a block⁷ over against his house in Fibrigate whereby carts are hindered. . . . Robert de Euler knows of thieves and cutpurses⁸ and receives gifts from them to save them from being taken.⁹ Nicholas de Aylmerton found 2 gold pennies¹⁰ and John Chyrry bought them for three farthings. . . . Ranulph Saluz buys corn and hands it to his wife to make malt, whereby the King loses etc. . . .

¹ See p. 362, note 2.

² Deficit.

³ Ponitur iste.

⁴ Braciatores.

⁵ Noluit prestare sacramentum.

⁶ Subconstabularius.

⁷ Coartavit viam regiam cum trunko.

⁸ Cissores bursarum.

⁹ Ne caperentur.

¹⁰ These were coined in the reign of Hen. III., but only circulated for a short time. They were worth 20 pennies of silver (Ruding).

Robert de Donewyc harbours three sons of his¹ who are out of tithing.

Leet Roll of 17 Edward I. 1289.

CCCXIV.—*Amercements at the Leet of Conesford.*²

Order is given³ to Michael and Ralph. Of Simon de Eye the carpenter because he has been in the city for a year and has not been in tithing, 12*d.* He paid 3*d.*; the rest is excused. He is quit.⁴
 Of John de Swafham living opposite to the Friars Minors because he is not in tithing, 2*s.* He paid 6*d.*; rest excused. Quit. Of John de Wytton living there, for the same, 2*s.* Excused at the request⁵ of the Friars Minors. Excused Of Richard Somer because he sells Flanders ale⁶ privily, whereby the Bailiffs have lost custom, 2*s.* Excused by the Bailiffs. . . . Of John le Scoudere living in Trows because he whitens hides⁷ outside the city, 2*s.* He still owes it.⁸ Of Master Alan de Freston Archdeacon of Norfolk because he has straitened the King's river, for blocks and stakes set⁹ in the highway and for 5*d.* of Landgable¹⁰ of the lord King wrongfully withheld for a year, half a mark. He owes it. . . . Of Ralph de Suthgate, capital pledge, for concealment because they have not presented that John and Hubert, sons of Roger de Morlèy, are out of tithing and for other concealments, 12*d.* Of Silvester Siger, William King, Richard Everich, Richard Undermel, William Inge, Henry Attewro, Richard Botman, William son of Walter le tannur, Hugh de Rokelund, William de Irstede, Geoffrey de Lingwode, John de Surlingham for the same, 12*d.* each. They made fine with half a mark.¹¹ They paid the whole. Quit. . . . Of Walter de Hykeling and his brother because they are not in tithing, 12*d.* Of Alice le Norice for harbouring them, 12*d.* They are poor.

¹ Receptat tres filios suos.

² This roll is entered in a different form to the last. It gives the amercements assessed on each offence, and states whether they were paid. But it does not notice the subleets as the 1st Roll does. See Introduction XII. 3. (Amercements.)

³ Preceptum est.

⁴ Soluit iii*d.* residuum condonatur quietus est.

⁵ Cond' ad instantiam.

⁶ Cervisiam Flandr'.

⁷ Dealbat correa.

⁸ Debet.

⁹ Truncis et stapellis.

¹⁰ A rent originally payable to the King as lord of the city, now forming part of the fee farm rent.

¹¹ Finem fecerunt per dimidiam marcam. To make fine is to make a final agreement or settlement. The 2 juries of S. and N. Conesford are here combined in one.

They owe it. . . . Of John Stannard, chaplain because he has withdrawn bounds between himself and Nicholas de Reymerston, 2s. Owes it. . . . Of Roger Benjamin for setting a muck-heap in the King's highway, in which he has buried the offal of beasts whereby the air is abominably poisoned,¹ 2s. He paid the whole. Quit. Of the same Roger because he has set a pigsty² in the highway, 12*d*. Excused. . . . Of Thomas Vincent of Trows because he avows his corn to be of the fee of the Prior of Norwich, whereas he holds of his [the Prior's] fee no more than 3 roods and the rest of his land is of the fee of Rikel, as is believed, 2s. Owes it. . . . Of John Giber for raising the hue on his father, 12*d*. Owes it. . . . Of John le ledbetere, capital pledge, for concealment because he has not presented the purpresture which John de Parys has made with a gate, 12*d*. Of William Godynow [and 11 others, capital pledges of Berstrete] for the same, 12*d*. [They paid half a mark, as the others above.]

[Then follow 57 entries of breaches of the assize of ale, as] Of John le Ballye³ and his wife for not observing the assize of ale, 2s. Of John de Morley and his wife for the same, 2s. Of Lawrence the clerk and his wife for the same, 2s. [These 3 paid 12*d*. each; Rest excused]. . . . Of John de Sibton and his wife, 3s. Excused because he is doorkeeper.⁴ John le Luminur and his wife are excused 3s. at request of John de Ely, clerk. John le Newebrið and his wife, John de Burgh and his wife are excused by the Bailiffs. Eudo le carectere and his wife, Emma who was wife of Robert the smith, Adam de Aldeby and John Franke are all excused because the charge is not true.⁵

[At the close of the Conesford entries is the account of Michael the Collector.] Receipts by the hand of Michael on Saturday next after the feast of St. Gregory the Pope [March 19th], 16*s*. Item on Saturday next after the feast of the Annunciation [26 March] 37*s*. 11*d*. Item on Thursday next after the feast of the Annunciation [31 Mar.] 7*s*. 4*d*. Item on Saturday the Vigil of Palm Sunday [2 Ap.] 5*s*. Item on Thursday next after Palm Sunday [7 Ap.]

¹ In quo sepelivit viscera animalium per quod aer pessime corrumpitur.

² Porcariam. ³ The Bailiff, one of the city Bailiffs for the year.

⁴ Janitor.

⁵ Quia causa non est vera. It would appear that after an offence had been presented and an amercement assessed, an appeal might be made and, perhaps after a verdict of a special jury, the decision could be reversed.

2s. Item on Saturday next before the close of Easter [Ap. 16], 3s. [This makes a total payment of £3 11s. 3d. The total assessed ameracements for the Leet were £16 10s. 0d. Of this, £2 19s. 4d. is entered as paid, and £5 as still owing, the rest being excused. If, as seems likely, the money accounted for by Michael includes what is entered as paid, only a very small portion of the sums entered as still owed was received up to the week after Easter.]

Ameracements at the Leet of Nedham and Mancroft. Order given to Makabe and Bird.

Of John Attegatehend because he buys corn in the city by retail¹ and is not of the freedom, 2s. . . . Of William servant of Roger Bele because he is not in tithing 2s. Of Roger Bele for harbouring him, 2s. Excused because the charge is not true. . . . Of John Geggard because he has sold gogges,² 2s. . . . Of Ralph de Caister and his wife because they brew and set no mark³ outside, 2s. Excused because poor. . . . Of Richard de Stalham for making fraud in his work, to wit, because he tans hides with bark of ash.⁴ . . . Of Hugh de London, regrater, because he buys and sells in the city and is not of the freedom, 12d. Excused at request of Gervase le Graunt. . . . Of Stephen de Erlham and William his brother because the corn which they buy in the city they sell to strangers, and because they are not of the freedom, 4s. . . . Of John del Stonhus and his wife for not observing the assize of ale, 2s. Paid 6d. . . . Of William the Skinner and his wife for the same, 12d. Excused at request of Isabella de Tudenham. [In this Leet 84 persons are presented for this offence.]

[The total amount of assessed ameracements is £20 6s. 0d. Entered as paid £3 19s. 6d. Accounted for by Brid and Makabe on nearly the same days as before, £4 3s. 3d.]

Ameracements in the Leet of Wymer and Westwyk. Order given to Peter and Kibel.

Of John de Disce because of his own accord he gives toll and custom⁵ in markets and fairs contrary to the liberty of the city, 2s.

¹ Per talliam. Selling by retail was a privilege of a citizen.

² Calves. ³ Signum.

⁴ Cum cortice fraxineo. It should have been done with oak bark.

⁵ Gratis dat Theolonium et consuetudinem. The citizens of chartered towns were free from toll in other places. But they were bound to share with their fellow-townsmen, when present, in advantageous bargains, and might be arrested for a debt incurred by one at a previous visit or elsewhere. Hence perhaps John preferred to hide his citizenship and pay the toll.



Amoramentis ad letam Ut agm. Anno - Septuagesimo -

[illegible]

Portion of the List Roll of 17 Edward II. 1280. Amusements

at the feet of the Adams—

At the top, Frederick von Sauerstein, a German, is credited with the discovery of the gold.

The following measurements were taken: length, weight, and

3. $\text{dim } \mathcal{H} = 2$, $\mathcal{H} = \mathcal{H}_1 \oplus \mathcal{H}_2$, \mathcal{H}_1 and \mathcal{H}_2 are non-trivial subspaces of \mathcal{H} , $\mathcal{H}_1 \cap \mathcal{H}_2 = \{0\}$.

...the

1. The first step is to identify the problem. In this case, the problem is that the company is not meeting its sales targets.

1992-1993

**Portion of the Leet Roll of 17 Edward I., 1289. Amercements
at the Leet Ultra Aquam.—p. 367.**

At the top, "Preceptum est Swerdeston, Rogero." (Order is given to Swerdeston and Roger, two sergeants of the Court, to collect the amerancements.)

The eleventh amercement reads thus :

"quietus est. De Isaak le Clerk quia non est in decenna ijs. soluit vjd. residuum condonatur." That is, [An amercement has been adjudged to be taken] from Isaac the Clerk because he is not in a tithing. [The affeerers (two of the Capital Pledges) have assessed it at] 2s. [The sergeant has demanded 2s. and Isaac] has paid 6d. The rest is excused. [In first column] he is quit.

. . . . Of William Popy for false weights and because he buys by a greater weight and sells by a less, 2s. . . . Of Thomas Gosonthegrene because he forestalls the fish market, 2s. . . . Of John de Norwyte for harbouring his two sons who are not in tithing, 12d. . . . Of John Janne because he forbars the men of the city from the purchase of tallow¹ whereby the market is diminished.²

[In this Leet 81 persons are amerced for breaking the assize of ale. The Collectors account for £3 1s. 10d. out of a total of £14 12s. 8d.]

Amercements at the Leet Ultra Aquam. Order given to Swerdeston and Roger.

Of Master Thomas de Depham for wrongfully detaining one penny of landgable of the lord King, 2s. . . . Of Roger de Honeworth, Robert son of Gervase, Robert de Donewic, Henry son of the chaplain, Thomas Spik, Reginald de Catton, Adam Fegge, Richard de Stalham, Reyner de Schuldham, John le Skinnere, Roger Abbot, Ralph de Hevingham, Robert le Miteyn-maker, Henry le Stotere, John le Loksmith and John de St^t. Faith, capital pledges, for fine for concealment,³ half a mark, they paid it in full, quit.

[In this Leet 64 persons are amerced for breach of the assize of ale. The Collectors account for £4 2s. 6d. out of £14 5s. 8d.]

[The following amercements are laid on particular trades throughout the whole city.]

Amercements of Fishmongers for forbarment. Of Ranulph le pessuner for forestalment and forbarment of fish and because he buys before the hour of prime⁴ contrary to the common proclamation made in the city, paid 2s.

Then follow 83 similar amercements.

Amercements of the Cooks for warming up meat, fish and pasties. Of Adam Tiffanye because he warms up meat, fish and pasties after the 2nd and 3rd day, 2s., paid 6d., rest excused. . . . 17 other amercements for same offence.

¹ Cepe. It should be cepi ; it may be meant for cere, wax.

² Deterioratur. As forbarring is said to diminish (the supply in) the market, it must mean preventing goods for coming there at all ; forestalling is said to raise the price either by the same action, or rather by stopping goods outside or buying them up inside and then selling them at an enhanced price on the plea of scarceness. See the cases mentioned in No. CCCXX.

³ Not presenting offences known to have been committed.

⁴ Ante primam horam. In the *Custumal*, ch. 37, it is said before the bell at the Cathedral rings for the Mass of the Blessed Virgin.

Amercements of the Poulterers for forbarment. Of Hugh Wychard for forstalment and forbarment of poultry to the diminishing of the market, 2s., paid 12*d.* 11 other amercements for the same offence.

Thomas the clerk and Ranulph Belle account for £2 1s. 4*d.* for these various amercements, out of £7 4s. 6*d.*

The total amercements assessed for the whole city are £72 18s. 10*d.*; the amount accounted for is £17 0s. 2*d.*

Leet Roll of 18 Edward I., 1290.

CCCXV.—*Leet of Conesford on Monday next after the feast of St. Valentine in the 18th year. [20 Feb. 1290, the 1st Monday in Lent.]*

Parishes of *St. Peter de Suthgate, St. Edward, St. Etheldreda, St. Clement, St. Julian, St. Michael de Conesford.* Ralph son of Henry de Suthgate, Silvester Siger, Richard Hydhef (made default, afterwards he came and was sworn), William King, Richard Everich, Richard Botman, John Slabbard, Richard Undermel, William Inge, Alan de Bacton, Robert de Aldeby, Richard de Honington. The Jurors present on their oath that the wife of Richard Botman sells ale by the single pot and 3 pots do not make one gallon of ale.¹ Thomas Everich and Richard Schepesheghee catch fish in fresh water with nets which are not according to the assize. . . . Seaman de Blitheburgh has harboured John his son who is not in tithing.

Affeerers² Richard Botman, William King, Silvester Siger, Ralph de Suthgate.

Cecilia, wife of John Lomb, has stolen from the parson of St. Michael eight silver marks. Let her be arrested. . . . Richard, son of Alice Bele, stole from Robert de Hadiscoe 18½*d.* by night on the morrow of St. Peter in chains in the 17th year. Arrest. . . . John the chaplain is an excessive usurer.³

More of the Leet at Conesford on the Tuesday next following.

Parishes of *St. Vedast, St. Peter de Conesford, St. Mary the Less, St. Cuthbert.* William son of Walter le Tanur, William de Irstede, Geoffrey de Lingwode, William de Lek, John de Lindraper, Roger le Marechal, Nicholas le Marechal, Gregory Croyde, John son of Matilda de Surlingham, Alexander del Sartryn, Hugh de Rokelund,

¹ Vendit cervisiam per unam ollam et tres olle non faciunt unam lagenam cervisie.

² Afferatores.

³ Usurarius maximus.

John de Hakeford. The Jurors present on their oath that . . . the Friars Minors have appropriated to themselves several tenements which were wont to pay landgable to the lord King. The Friars of St. Augustine likewise. . . . Nicholas Tepede has made a purpresture with a house at Teppaystaith and with a causeway¹ set on to the river by fully eight feet and more.²

Leet Roll of 19 Edward I., 1291.

CCCXVI.—Amercements at the Leet *Ultra Aquam* in the 19th year of the reign of King Edward.

Of Henry Grund because he has harboured his brother who is not in tithing, 12*d*. . . . Of the Prior of Norwich because he feeds his pigs on the lord King's wall,³ half a mark. . . . Of William Bishop because he has appropriated to himself a certain island which ought to be common⁴ at Calkmilles, 2*s*.

Presentments of *Wymer* and *Westwyk*—*Leet of Wymer*.

Of William Crisp because he received a bushel of barley which his daughter stole, 2*s*. . . . Of John de Causton because he permits foreigners⁵ to merchandise secretly within his shed contrary to the liberty of the city whereby the Bailiffs lose their custom, 2*s*. . . . Of Roger de Lenn because he dubs old cloths with a fuller's block, so making fraud in his work, 3*s*. . . . Of William son of Ranulph le pessoner because he is not in tithing, 12*d*. Of Hubert his brother for the same, 12*d*. Of the cook of the said Ranulph for the same, 12*d*. Of the taverner of the said Ranulph for the same, 12*d*. Of the said Ranulph for harbouring them,⁶ half a mark. . . . Of the Tanners. Of Richard de Stalham because he makes fraud in his work by tanning his hides with bark of ash, and it is called Stalsitelether,⁷ and because they have a gild⁸ hurtful to the lord King in buying hides, and because they correct transgressions which ought to be pleaded before the

¹ Calceto.

² Bene per octo pedes et amplius.

³ See p. 360, note 12.

⁴ Que debet esse communis.

⁵ Forinsecos.

⁶ This fishmonger's house was on Fybridge quay. Like most of the large houses, it would be built (dwelling house and business premises) round a courtyard. The frontage to the street was utilised for a cookshop and a tavern. The approach would be by a passage (introitus) between the two. The whole is counted as one household, for which Ranulph is responsible.

⁷ Cum cortice fraxineo et vocatur Stalsitelether.

⁸ See p. 361, note 2.

Bailiffs, 1 mark; [42 other persons are fined half a mark each; 6 others, 4s., 1 other 3s.]

Leet of *Manecroft*.

Of the wife of Richard Puttok for treasure found in Norwich Market, 12*d.* Of Walter Jolyf for redemption of larceny. Arrest. Of the wife of Henry Costinoble because she sells a gallon for twopence, 20s.

Leet of *Conesford* and *Berstrete*.

Of Robert de Burgh carpenter, mainpast¹ of the Prioress of Carrow because he bought corn before &c., 12*d.* Of William Hervy servant of Geoffrey de Bintre because he stole a coomb of barley, arrest. Of Clement le Agulyer² because he received a stolen shirt³, 2s., paid 6*d.* Of Alexander Powell because he made ve' de naam⁴ against the sergeants of the Bailiffs, 2s. Of Richard clerk of the church of St. Peter de Parmentergate, because he is not in tithing, 12*d.*

Leet Roll of 21 Edward I., 1293.

CCCXVII.—Amercements of the Leet of *Conesford* in the 21st year.

Of the men of Surlingham because they have nets contrary to the assize with which they catch fry⁵ and destroy the lord King's river, half a mark. Of the shoemakers⁶ because they have a gild contrary to the prohibition of the lord King,⁷ whereby they take of their apprentices 2s. and those who would practice the business of a shoemaker on their own account⁸ give 10s. to the said gild, 20s. Of the saddlers⁹ because they likewise have a gild hurtful to the lord King, 1 mark. Of the fullers for the same, half a mark.

Leet of *Nedham* and *Manecroft*.

Of Hugh Lekman because he has partnership in certain goods with a servant¹⁰ of his and avows those goods as his own whereby

¹ Manupasto, member of a household.

² Needler.

³ Camysiam.

⁴ Vetitum namium. Refusal to give up goods taken in distraint although proper security was offered. The Sheriff of a county or the officers of certain chartered towns had a right to insist upon the release.

⁵ Capiunt fry.

⁶ Sutoribus.

⁷ Probably the clause in the Charter of Henry III. prohibiting the gilds in the city. See No. VIII.

⁸ Per se.

⁹ Sellariis.

¹⁰ See the *Customal*, ch. 39. p. 185.

the Bailiffs &c., half a mark. Of the same Hugh because he harbours the said servant out of tithing, 2s. . . .

Presentments of *Wymer* and *Westwyk*.

Of John son of John de Schotesham because he bought a stolen cloth of the value of 6*d.* and declined to name¹ his warrant from whom he bought it because the woollen yarn² of the said cloth was stolen at Adam Stone's house, 2s. . . . Of Robert de Wymundham leyner because he refuses the lord King's measure when straked³ and will not take it unless heaped up. . . . Of Ida Bele for not keeping the assize of ale, 12*d.*, excused because she keeps the assize.

Presentments of the Leet *Ultra Aquam*.

Of John Bishop because he buys and sells by retail and is not of the freedom, 2s. He made fine with 12*d.* and he has a day to make his entry within one month from Easter. . . . Of a certain chaplain serving at Normanspitallond because he beat the sergeants of the Bailiffs of Norwich and broke their wands.⁴ Excused.

Leet Roll without date c. 1307.⁵

CCCXVIII.—Parishes of St. Sepulchre, St. Bartholomew de Berstrete, St. Michael de Berstrete, St. John de Berstrete, St. Martin, All Saints of Swinemarket-hill, St. Winwaloy of Little Newgate.

CCCXIX.—Tithing Roll of the Leet of Mancroft c. 1311.

[This is a list of the Tithings in the Leet of Mancroft with the names of the Members of each tithing. It has been used on several occasions, and names are added in several different hands. What is here given is, so far as can be judged, the original list as first entered. The Capital Pledges are set a little out of line with the other names and marked "Cap." Some of the tithings have no Capital Pledge and very often a small coupling line joins the last original name of one tithing to the first of the next, showing that for purposes of presentment they were united under one Capital Pledge. The number of tithings had probably remained constant from the first, but their size varied. In this list some are very large and some very small. The approximate date may be fixed as c. 1311. The

¹ Dicere.

² Filum lane.

³ Rasam.

⁴ Virgas, wands of office.

⁵ This is a fragment, consisting of one membrane. It contains the parishes which formed the subleet of Berstrete.

Capital Pledges of Mancroft amerced at the Leet Court of 1313 agree almost entirely with the names here. The variations show that this list is a year or two earlier than the Leet Roll. For a fuller examination of this Roll and the significance of its details, see *Leet Jurisdiction in Norwich*, p. xlvii.]

Leta de Nedham et Manecroft et de Magna Newegate.

Parochia Sancti Stephani.

Cap. Ric. de Snoryngg

Ric. de Swanton

Hug. de Swathefeld

Ric. Coleman junior

Joh. fil' Roysiic de Weston

Rob. de Swathefeld

Petr. Atte Grene de Griston

Thom. de Pykenham

Godefridus Stel

Rog. de Thorp

Rob. Pympe

Rog. fil' Godefridi Stel

Joh. de Burston

Galfr. Miniot

Wil. Broc de Brakendele

Joh. de Walkote

Rob. Ringolf

Thom. fil' Roberti Molle

Cap. Joh. de Pulham

Petrus Flint

Rog. Stel

Wil. de Wychingham

Joh. Lawe

Thom. le Redere de Radgraue

Joh. fil' le Chapman de Causton

Henr. Atte fen de Haylesham

Rog. de Lopham

Joh. de Elmham

Will. de Botolston

Hugo Larke

Andr. Stedefast

Laur. de Rydelingfeld

Rob. fil' Will. Chapman

Joh. fil' Johis de Weston

Adam Plumer

Cap. Rog. Golnard

Henr. de Bradefeld

Steph. fil' Johis de Saham

Rob. del Ballie

Steph. de Kyrstede

Cap. Will. de Honeworth

Thom. de Hevyngham

Joh. Ston

Joh. Waryn, tailour

Joh. Smelte

Math. de Walsham

Ric. Rigald de Besthorpe

Joh. de Sco Edmundo

Will. Hakun

Ric. Hakun

Ric. Thedam

Rob. Brother

Steph. Herre

Rob. de Bumpstedde

Joh. Sparwe

Ric. de Elingham

Rob. de Bonewelle

Rob. Dusyng

Edmund de Carleton

Galfr. de Stowe

Rob. Ulf

Joh. de Colveston

Rob. de Atteleburgh

Joh. de Bonewelle

Walt. Elfed

Cap. Walt. fil' Gilb. de Eston

Barth. de Ho

Rog. Martyn

Rob. de Len

Petr. de Langelee

Joh. Haldeyn de Holveston

Adam de Honeworth

Will. Ernald de Waketon

Will. de Hoo

Rob. Martyn

Will. de Hadeston

Steph. Cope de Gouthorpe

**The Tithing Roll of the Leet of Mancroft, c. 1311.—pp. 371
to 381.**

The facsimile here given shows the commencement of the Roll with the "Parish of St. Stephen." Each set of names is a tithing. In the original list there would be two columns. The names to the right of the first column have all been added on later occasions. So have many names at the end of a tithing. From the fifth name from the foot of the first tithing in the second column a short coupling line runs to the first name of the next tithing, showing that the two tithings were treated as one, the second having no capital pledge. The long line covering the whole of the two tithings shows that William Bele answered for both. The names given in the printed list are intended to be those entered on the first occasion when the list was compiled, but towards the end of a tithing, in the absence of a coupling line, it is often very difficult to decide whether certain names are original or added.

Alanus Renthop de Botyn
Ad. Rock de Dunston

Cap. Will. Bele

Thom. Sparwe
Adam de Bliklingge
Alanus le Talyour
Joh. de Causton
Will. de Causton
Joh. de Rugham Clerk
Walt. de Pulham
Henr. de Brok
Nich. Garlond
Estanus de Horsseford
Thom. de Wynton
Adam de Smalebergh
Luc. de Brunne
Rog. Schod

Will. Pundyng
Will. Gerrard
Martin le Barbur
Walt. de Gissing
Walt. Palle
Will. le Redere
Ric. de Sweynesthorp
Galfr. de Aldeby
Rob. de Hoo
Paulus de Mulefen
Joh. le Skynnere
Joh. Schod
Nich. de Erpingham
Joh. de Brygham
Hug. Prewé
Joh. le Pottere
Walt. Brid
Joh. de Stratton
Ric. de Worthstedde
Will. de Herdwyk
Joh. de Hedersette
Petr. de Bastwyk
Will. de Heuyngham

Cap. Benedictus Brid

Joh. Brid fil' eius
Thom. Emelot
Ric. de Carleton
Joh. de Causton
Joh. de Donston
Thom. de Porynglond

Alex. Fayrheued de Westonwe [sic]
Thom. de Sporlee
Rog. Gurnay

Cap. Elyas de Freton

Will. de Alderford
Joh. de Aylesham
Joh. Sparwe de Brakendele
Joh. Andrew
Will. Curteys
Alanus de Merkeschale
Rob. Hut de Bokenham Carleton

Cap. Will. Isseley

Ad. Slopere
Rog. Garlond
Rog. Muddock
Galfr. le Cartere de Kyrkeby
Simon de Aylesham
Joh. le Grey de Waketon
Joh. de Hapesburgh
Ric. Gallard
Rog. fil' Willi Issely
Joh. fil' Willi Stanhard

Joh. de Thorp
Ric. Scot
Joh. de Carleton
Joh. Lewynne
Rog. de Gymyngham
Joh. fil Thom. de Aylesham
Will. Ladde
Will. Chapman
Joh. de Totyngton
Will. Hakun de Hengham
Joh. de Skernyng
Thom' fil' Alexi Coc
Alanus Dryte
Rog. fil' Johis Canon
Rob. de Neweton
Will. fil' Ide

Adhuc parochia Sancti Stephani.

Cap. Ric. Kyng

Rog. de Castre
Steph. de Carleton
Joh. de Bradefeld
Joh. de Erlham
Alex. de Nelond
Rob. Hamond de Fundenhale

Petr. de Castre
Walt. de Skernyng
Rog. Greyday
Gilb. fil' Margerie de Lodne
Rob. de Taseburgh

Joh. Seluerann
Andr. le Daubere de Schotesham
Rog. de Swanyngton
Joh. le Greyne
Henr. Dingel de Apton
Joh. de Wanggefurd
Joh. de Aylesham
Joh. le Talyur fil' Laur' de Tacolneston

Cap. Will. de Catton Nedlere
Will. fil' Walteri
Will. Tolle
Galfr. Sparwe
Rob. de Walsham
Ric. de Blakefen de Hapton
Ric. de Fornessete junior
Rob. de Fornessete
Joh. de Fornessete
Alanus Walleman
Wills de Sibeton
Thomas de Stratton

Steph. de Brakene
Ric. Cole de Wymundham
Joh. de Fransham
Thom. Ballard
Joh. de Bromholm
Ric. de Merkeshale
Tho. le Fhischere
Will. de Branthweyt
Henr. de Flordon
Joh. fil' Emme
Adam de Rokelund
Joh. de Bradebek

Regin fil' Willi Crisp
Rob. de Bynham
Rob. de Schaftebyry
Joh. de Tolle
Hugo Sparwe
Rob. de Catton
Ric. de Schipadam

Rog. de Fornessette
Ric. Duning de Flordon
Ric. Kyngesman
Ric. fil' eius
Joh. de Fakenham
Rob. de Melton
Thom. de Causton
Joh. Tofty

Henr. le Fhischere
Rob. fil' Henr. de Burgh
Humfr. Chapman
Barthus de Walcote
Ranulphus fil' Alexi Coci
Joh. de Hedersette
Will. Dun
Ric. le Fhischere
Will. Horn
Rog. de Keteringham
Thom. Goscelyn
Thom. de Rougham
Joh. Saltman
Hug. le Palmere
Henr. de Pulham¹
Rob. Hague de Fornessette
Galfr. serviens Willi de sancta Fide
Walt. fil' Alexi le Keu
Thom. de Fakenham spicer
Joh. de Stowe carnifex
Petr. frater eius
Simon de Stowe
Thom. Gernun
Adam Berghard de Schipadam
John de Snyterton
Joh. de Elsn yng

Parochia sancti Petri de Manecroft.

Cap. Rob. de Marsham
Walt. de Saham
Steph. Woderoue
Barth. de Thirston
Joh. de Fornessette
Rob. de Marsham
Joh. de Elmeswelle
Joh. le Blowere
Will. fil' Willi de Blikling
Rog. de Sparham
Will. Hert

¹ Here, at the foot of a column is written, *Respice supra in eadem decenna* (see above in the same tithing).

Adam de Keymerston
 Henr. le Blowere
 Walt. Herre
 Rog. de Hemenhale
 Will. fil' Sampsonis de Melton
 Laurent. de Wymundham
 Hug. de Bliklingge
 Joh. fil Osberti Dykeman de Fouldene

Cap. Joh. Cobbild
 Henr. de la Sale
 Henr. de Clare
 Hub. Pakke
 Joh. de Dunston
 Joh. le Cobelere
 Rog. Sparwe
 Rob. le Longe de Crungelthorp
 Will. Bewmund
 Joh. Hales
 Alanus Dedersette
 Ric. de Stoke
 Will. le Deen de Hoo
 Joh. Haldeyn de Porynglond
 Will. fil' Eudonis le Carectere
 Henr. Stoke
 Edm. Poer
 Thom. Sporel
 Will. de Freton
 Rob. de Stoke

Cap. Carolus le Seler
 Joh. le Palmere
 Joh. de Aleby
 Joh. de Posewyk
 Thom. de Plumpstede
 Henr. fil' Johis de Senges
 Joh. de Folesham
 Joh. de Poswyke
 Henr. de Gouthorp
 Ric. Maggote de Plumpstedde
 Henr. fil Hug. de Mundham
 Rob. de Wodenorton
 Rog. Papunjay
 Henr. Papunjay
 Egid. de Fornessette
 Godefr. Palmere
 Will. fil' Walt. Ive
 Will. Erl
 Joh. de Stowe
 Walt. de Tasseburgh
 Ranulphus le Cauz

Will. de Kyrkededde

Cap. Rad. le Blower
 Ric. de Swathefeld
 Rob. de Walsham
 Joh. de Beccles
 Rad. de Len
 Henr. de Walsham cordewaner
 Adam de Stirton
 Rob. de Stowe
 Rog. de Tasseburgh
 Walt. Rust de Happeton
 Rob. de Aschewelle
 Rad. de Depham
 Thom. de Eton
 Hug. Dun de Aschewelle
 Thom. de Habeton
 Joh. de Bergh
 Simon de Heycle
 Walt. le Cauz
 Joh. Bele
 Ad. fil' Richi de Swathefeld
 Reymund de Banham
 Ric. de Bergh

Herveus nepos Hervei
 Hug. de Birlingham
 Hug. de Tacolneston lecmā
 Joh. Pynthon
 Rog. fil Gregorii Suur
 Thom. Sparwe de Craneworth
 Will. de Tacolneston
 Ric. de Ling
 Nich. de Marlingford
 Ric de Tacolneston
 Will. le Palmere
 Ric. serviens Roberti de Derham
 Rog. Horn de Dilham
 John de Swathefeld
 Ric. Stutte
 Will. de Wode
 Regin. de Fundenhale
 Rob. de Kesewyk
 Ric. de Hedersete
 Rob. Sparheuk
 Joh. de Hemenhale

Cap. David de Elingham
 Simon de Tyveteshale
 Rob. de Aylesham
 Simon de Wiklewod

Rog. de Causton
 Walt. fil' Rog. Bule
 Ric. de Donston
 Galfr. de Swathefeld
 Hug. de Weston
 Will. fil' Eustac. le Fullere
 Rog. Broun
 Henr. de Runhale
 Rob. de Aylesham
 Rog. fil' Alexi le Ruttere
 Joh. de Thikkethorn
 Rob. de Brakne
 Joh. Plukling
 Rog. Leuyng de Thirston
 Will. Leuyng
 Will. Dil de Sproxton
 Joh. fil' David de Elingham

 Will. de Broke
 Petr. le Mustarder
 Petr. Lilling
 Will. de Hengham
 Galfr. de Costessey
 Will. Curteys
 Benedict. de Costes'
 Hub. de Brok
 Regin. Atte hil
 Rob. de Brakendele
 Petr. de Hegham
 Galfr. de Bromholm
 Joh. de Brok
 Barth. Lilling
 Petr. de Bradefeld
 Ric. de Catton
 Hamon le Breton
 Petr. Joyere
 Will. Prikebut
 Henr. Costinoble
 Walt. fil. eius
 Regin. serviens eius de Alderford

Joh. Bangot
 Rob. le Graunt
 Joh. Joye
 Hamon de Runhale
 Simo de Weston
 Adam de Martham
 Joh. Attewode de Kymberlee
 Rog. de Brok

Benedict. le Mustarder
 Edm. de Len Orfeure
 Joh. de Brundhale
 Will. le Mustarder
 Rad. Mobred
 Rob. Mobred
 Rog. fil Henr. Costinoble
 Rad. de Boylund
 Adam Crede
 Rog. de Costes'
 Galfr. fil' Johis le Prestesson
 Barth. de Costese

Cap. Ric. Rodlond
 Walt. fil' Regin. de Wreningham
 Thom. de Colton¹
 Gruys le Grater
 Walt. de Suthfeld
 Thom. de Stanburne
 Simo serviens Robti Be
 Steph. de Depham
 Ric. de Postwyk
 Clem. fil Robti de Crostweyt
 Joh. de Honeworth
 Simon de Huntingfeld
 Joh. de Brithwelle
 Nich. de Willebeghe
 Rog. de Stirston
 Walt. de London
 Herveus de Hapesburgh
 Joh. fil Rogeri de Castre
 Rob. de London faber

Cap. Joh. Smelte de Fornesette
 Rog. Smelte
 Adam de Weston
 Will. fil' Andree de Biltham
 Rad. de Erlham
 Thom. de Fornesette
 Will. de Betelee
 Henr. de Bernham
 Rob. de Stowe
 Joh. Totyng
 Joh. Atte welle
 Joh. de Deuene
 Godefr. de Mendham
 Henr. de Berton de Sweynesthorpe
 Joh. fil' Rogeri Smelte

¹ Alibi in decenna Ran. de Colneye.

Cap. Rob. de Kyrkestedde

Rob. de Saxlingham
Hug. de Baketon
Thom. de Dunedale
Rob. fil' Philippi de Kyrkestedde
Joh. de Honyng
Will. de Heueringlond
Nich. de Knapeton
Will. Pethe de Mulkeberton
Rog. Baronn de Flordon
Will. de Norwyc
Adam de Chattegrave

Cap. Joh. de Aschewelle junior

Rog. de Derham
Thom. Rose
Benedict. de Hedersete
Wicht de Ethil
Nich. de Nelond
Galfr. de Frengge
Simo de Lopham
Nich. le Carectere de Surlingham
Martin. de Colton
Laur. de Hemenhale
Walt. fil' Johis de Aschewell jun.
Thom. de Surlingham cordewaner
Rob. de Hethel
Henr. de Surlingham
Rad. le Neue
Ric. fil' Robti de Runhale
Walt. de Stradebrok
Rog. de Hethel
Matheus de Stradebrok
Rob. de Colton

Cap. Nic. de Walsham

Joh. de Bery
Ric. de Horstedde
Will. de Moneslee
Rob. Eche de Acle
Ric. de Runhale
Galfr. Sire de Surlingham
Rob. de Tauerham
Joh. Goldhor
Rog. Wynd de Bramerton
Joh. de Rakheythe
Joh. de Kent
Matheus de Melton
Walt. Trypet
Alex. le Talyour
Will. Tunhale

Joh. de Besthorpe

Thom. de Surlingham
Rob. Somersweyn
Joh. de Pulham sutor
Rob. de Suthefeld
Joh. Trenchemer
Rob. de Kerdeston
Rog. de Felningham
Adam de Cretingham
Nich. Dalyberd
Joh. le Latoner de Ebor'
Ric. ad crucem de Saxlingham
Regin. de Hedersette
Joh. de Horstedde
Henr. de Poswyk
Ric. le Mercer
Will. de Wymundham
Will. de Walsham
Joh. Mattok de Thakforde
Rob. de Sturmere

Cap. Rob. fil' Johis le Verdonn

Rog. Framingham
Walt. Atte Hirne
Ric. le Forster
Regin. de Bauburgh
Joh. Hulyne
Regin. Dun
Joh. de Knapeton
Walt. de Wymundham
Ad. Bomund
Rog. Stanhard
Will. fil' Galfri Curewen
Will. le Cupere de Saxlingham
Rad. Burman de Blofeld
Will. Godewyne
Ric. le Lacy
Joh. Bonn

Rog. de Bauburgh
Thom. de Bauburgh
Joh. de Rekyngghale
Will. de Sancta Fide
Adam de Elingham
Adam le Cunte
Joh. le Cupere de Saxlingham
Thom. fil' Rogeri le Clerk
Will. Grace de Thorp
Jacobus de Brakendele
Joh. le Pottere de Geywode

Adam de Stoke
Gwido de Randeworth
Galfr. Gillemyn
Andr. de Swerdeston
Rad. Stalun de eadem
Ric. clericus
Rob. le Barbour

Cap. Will. Wade

Steph. Wade
Will. de Heueringlond
Walt. de Walsham
Rog. de Reymerton
Henr. de Fundenhale
Nich. de Walsham
Galfr. de Fakenham
Edm. de Benston
Galfr. fil' Johis de Atteleburgh
Hugo de Fornesette
Rog. de Stowe

Joh. Stilbigg de Costese
Alanus de Tacolneston
Arnald de Flixston de Suth Elmham
Adam de Kesewyk
Rob. de Fourehowe Carleton
Ric. Dun
Ric. de Hemenhale de Weston
Ran. de Rokelund
Rad. le Furbur
Simon le Heftere

Ric. de Stannefeld
Joh. de Atteleburgh orfeure
Joh. de Spikesworth
Rog. Lewyne de Fornesette
Joh. le Palmere de Aschewelle
Joh. de Stowe
Joh. de Bramerton
Rob. de Flixston
Hugo Tame de Fakenham
Rob. Qwytingg de Wymundham
Adam Atte fen de Sirlingg
Will. de Fakenham
Alex. de Flixston
Hugo de Kymberlee

Cap. Joh. de Ingham

Will. Bishop de Dunston

Joh. de Cressingham
Will. Sipatre
Steph. Smethe
Thom. le Noble
Thom. le Noble de Bate
Joh. Gabriel de Scrowteby
Will. Gissingg
Alex. de Weston
Thom. de Gouthorp
Henr. Aleyn de Swerdeston
Joh. de Waldenne
Henr. Braban
Joh. de Beweton¹

Cap. Rob. fil' Radi le Furbur²

Rob. de Carleton
Will. de Aschemenhaghe
Adam Morel
Adam de Houton
Petr. le Latoner
Steph. de Barksdale
Joh. de Essex
Rob. fil' Willi Rothe
Thom. le Latoner
Thom. de Surlingham
Warinn le Marchaunt
Joh. de Len
Will. de Bollesouere
Regin. de Hedersette

Simo de Aschenhaghe
Ric. fil' Joh. de Esex
Will. de Upton
Will. Warinhale
Matheus fil' Johis de Todenham
Will. fil' Alani le Latoner
Thom. Danyel
Joh. de Thikethorn
Will. de Bark
Ric. de Stalham
Thom. fil. Thom. le Latoner
Henr' Gost de Surlingham
Will. Sturmy de Surlingham
Walt. fil. Johis le Hornere
Rob. de Novo Castro
Will. Bishop de Hedersette
Henr. de Couentre
Martyn Godesman
Will. Qwyte de Keteringham

¹ Here follows in a later hand, Joh. de Walsham taverner, who acted in 1313.

² Added above, Joh. le Hornere, cap., who acted in 1313.

Rog. de Poringlond
 Rob. de Norton
 Rob. de Aldebergh
 Nich. de Len
 Ric. fil' Alani le Latoner
 Steph. Doning
 Martinus de Hedersette
 Regin. Takke de eadem
 Ric. de Hornecastr

Cap. Hervicus de Bradefeld

Joh. de Weston
 Hug. Bateman
 Thom. de Bauburgh
 Will. de Lakenham
 Rad. le Blowere
 Rad. de Carleton
 Joh. de Iteryngnam
 Will. de Marlyngford
 Hug. Nalli
 Joh. fil' Johis le Wellemakere
 Joh. Somer
 Rob. le Turnur
 Simo fil' Petri Jolyf
 Nich. de Hardyngnam
 Adam Barechanke
 Joh. de Lakenham
 Galfr. de Wotton
 Will. de Freston
 Thom. fil' Willi Barechanke
 Joh. le Lameman
 Ric. fil' Uniforcii le Messenger
 Rog. Nel junior
 Will. Blendehering
 Joh. de Wroxham
 Will. de Claxton
 Rob. de Schotesham
 Adam de Donston

Cap. Ric. Swyn

Henr. Qwytlök
 Rob. Mengy turnur
 Ricus Turnur
 Thom. le Turnur
 Rob. Qwytlök
 Rob. de Hegham
 Herveus de Sweynesthorp
 Joh. le Futour
 Rog. de Edisthorp

Hug. de Bradefeld
 Galfr. Haylston
 Thom. de Tyvetteshale
 Hosbert. de Derham
 Joh. de Sithing
 Thom. de Tasseburgh
 Rob. Cok de Melton

Adam de Metton
 Steph. de Surlingham
 Petr. le Qwyte
 Rog. de Heylesdon
 Rob. Gildenewater
 Thom. Gildenewater
 Ric. fil. Thom. Langlif
 Joh. fil Henr' de Hapton
 John de Wymundham talyur
 Georgius Wyrn
 Joh. le Nedelere de Stratton
 Rog. fil' Rogi de Derham
 Rad. Duraunt de Keteringham
 Steph. le Turnur
 Rog. de Brok, carpenter
 Rob. de Tasseburgh
 Rob. de Mendham

Cap. Rad. Wych le Hattere

Joh. de Mangrene
 Rob. serviens Nichi de Acle
 Rog. de Fresson chapeller
 Joh. de Acle
 Joh. Dun de Happeton
 Will. Wodekok
 Ric. fil' Humfri Atte grene
 Rad. Pennying
 Joh. de Hengham
 Joh. Skalon
 John Slabbard de Hapeton
 Andr. fil' Henrici de Donewyc
 Will. Sparheuks de Hengham
 Joh. Payn de Fundenhale
 Ric. Benecod de Wymundham
 Everard de Fryston
 Thom. Brithemere de Swanton
 Joh. fil Rogeri le Hattere
 Will. de Mendham
 Joh. de Derham
 Galfr. Toly de Fundenhale
 Will. fil Ad. Dun¹

¹ Foot of column. "Adhuc supra eadem decenna." More above of the same tithing.

Rad. Benekod de Wymundham
 Ric. de Ennewiks de Flordon
 Ric. Lewynne
 Rog. Hunte de Dunston
 Thom. Sprot
 Joh. le Turnur
 Rob. Atte Bredde
 Barth. de Bernham
 Rob. de la Batallie
 Joh. de Burgo
 Joh. de Bungeye
 Ric. Pennyng de Wreningham

Cap. Joh. de Cauntebrigg
 Joh. Buncheqwel
 Hugo de Walsham
 Joh. fil' capellani de Hemenhale
 Jordannus de Antyngham
 Henr. fil Johis de Brok
 Henr. de Bradefeld
 Will. Hervy
 Will. de Melton
 Thom. le Appelman
 Joh. Bewmund
 Rob. Bewmund
 Rob. de Thweyt cordewaner
 Joh. de Antyngham
 Will. de Freton
 Joh. de Bernham
 Joh. de Aylmerton
 Henr. de Ranele
 Joh. de Irstedde

Cap. Andr. de Besthorp
 Rad. fil' Rogeri le Chapeller
 Will. le Blund de Tybenham
 Simon Bulur
 Ad. de Burwode chapeller
 Joh. de Rysing
 Steph. de Magna Elingham
 Joh. de Tybenham talliur
 Will. fil' Johis Fuke
 Amery le Qwyte
 Joh. de Suffeld
 Adam de Weston
 Rog. Kemppe
 Will. le Blund
 Joh. le Bakestere

Cap. Rog. le Pundermakere
 Thom. Payn
 Will. fil' Warin de Weston
 Rad. Bulleman
 Joh. Bulleman
 Hugo Lombard
 Walt. de Eston
 Nich. de Marlingford
 Rog. serviens Radi le Blowere
 Rog. de Blafeld
 Will. fil' Edi de Riston
 Will de Surlingham¹
 Rad. le Blowere
 Joh. fil' Robti de Poringlond
 Joh. le Cauz
 Ric. de Poringlond
 Rog. de Poringlond
 Steph. Atte mere
 Steph. Maydekyn
 Will. de Eston
 Nich. de Eston
 Rog. Gurnay
 Rob. de Aldeby

Cap. Joh. fil' Clementis
 Ric. de sancto Edmundo lolymar
 Miles de Stislond
 Walt. fil Johis le Ceynturer
 Will. Blithe
 Adam de Aldeberghe
 Ric. de Tacolneston
 Adam de Honyngham
 Rog. de Ingeworth
 Will. de Saxlingham
 Ric. Swyn
 Rad. de Donston
 Joh. Curtman de Flokethorp
 Thom. de Hyngham

Joh. de Depham
 Thom. de Qwydenham
 Simo de Rugham
 Alex. Wulstan de Hardelee
 Thom. de Horsseford
 Galfr. de Brandon
 Barth. fil' Willi le Combere
 Rog. de Biltham
 Joh. de Dallingg

¹ "Surlingham" is struck through and "Elingham" added.

Ric. de Coreston
Will. de Hakeford

Thom. de Bernham
Will. de Elsmying
Joh. de Weston Draper
Nich. de Buthorp
Adam fil' Robti le Ceynturer
Rob. de Qwydenham
Rad. de Donston
Joh. Fraunceys
Henr. Clement
Gilb. de Saxlingham
Adam fil' Robti de Plumstedde
Joh. fil' Willi de Donston
Henr. de Depham
Will. Gyry de Refham
Joh. de Wytton
Joh. Hereward
Ric. Pavay de Gissing

Cap. Dyonisius le Cobellere
Walt. de Melton
Ric. de Debenham
Joh. de Derham cordewaner
Ric. de Bonewelle
Hugo Lothale
Will. de Bonewelle
Joh. de Dunham
Rad. de Somerleton
Rad. de Castre
Hug. de Castre
Walt. le Neve
Ric. Saundonce
Rad. Goddard
Galfr. fil Radis de Castre
Rog. fil' Hervey le Cobelere
Joh. le Writte de Berstrette
Joh. de Holveston
Ric. de Norton
Joh. de Lothale.

[The following extracts are from 2 Rolls of the latter part of the 14th century.]

CCCXX.—Leet Roll of 49 Edward III., 1375.

Verdicts of the Leets before Henry Skie, Hugh de Holand, John Latimer and William Gerard Bailiffs of the City of Norwich in the 49th year of the reign of King Edward the 3rd after the Conquest.

The Capital Pledges present that . . . Roger de Bergham bought by forstalment divers kinds of corn going to meet it in streets and lanes, at gates and bridges, to wit, 300 quarters of wheat, 60 quarters of rye and 200 quarters of barley and oats, to the great heighening of the market, whereby the Bailiffs have lost their toll, 10 marks . . . Peter Nethyrde buys and sells and is not a citizen¹ . . . Richard de Framingham received thefbote² which Andrew Gurnay had taken wrongfully from a certain thief, 6d. . . John de Gaywode, taverner, forestalled so many eggs in the market that he filled 28 barrels at divers times and sent them out of the Kingdom to foreign parts, and likewise forestalled

¹ To several such entries is set in margin, "Non pares," *i.e.* not citizens. See *ante*, No. XLIX., p. 178, note 2.

² Money accepted in amends for theft, so taking the matter out of the hands of the court.

butter and cheese to a large amount whereby there accrued great dearness of victuals¹ in the city and that for 4 years, 20s. . . . Henry Curreyour buys and sells and has 2 apprentices and is not a citizen John de Northiks, cordwainer, one night made hamsoken by force and arms on two Dutchmen² in the house of John Disse threatening to beat and kill them, whereby the said Dutchmen fled from the city, and the said John robbed them of 7½*d.* outside Nedham Gates, and he is a common nightrover and of ill fame. Arrest John de Norton made distraint on Nicholas Fyppes, draper, without licence of the Bailiffs and made release of the same contrary to custom Peter de Stody is a common fripperer twisting old cloths into new shapes³ to the deceiving of the people Roger Calf is wont to buy oysters by forestalment in divers boats so that when one boat is at the Staith for sale of oysters, another boat or two shall be at Thorpe until the first boat is emptied and sold and then the rest of the boats come up for sale ; and whereas the people⁴ were wont to have 100 oysters for 1½*d.*, Roger sells them for 2*d.* or 3*d.*, 20s. . . . William de Eton and his two servants did not come to the leet, 12*d.* Clement Spycer and his two sons did likewise, 12*d.* A servant of Thomas Berd and his mainpast did likewise, 12*d.* John de Beccles and his five servants did not come to the leet, 18*d.* Adam de Horstead, goldsmith, Robert Fleshhewer and Thomas Toftes fought together in the house (called) Barestaf and are common dice-players⁵ John Silkman buys and sells and has an apprentice and is not a citizen, 2s. Alice Wigemaker likewise buys and sells and is not a citizen, 2s. Agnes Bookbynder likewise is not a citizen, 12*d.* Andrew Lanternemaker has done likewise, 40*d.* Richard Clerk cardemaker⁶ has done likewise, 6*d.* Edmund de Melton webster has done likewise, 18*d.* Geoffrey Bagwell has sunk his boat in the King's river under Bishop's Bridge in great purpresture and to the detriment of the said river, 12*d.* Walter Baldwin tailor found a dagger⁷ in the King's highway and kept it and concealed it from the Bailiffs The wife of Robert de Staumford took a lamb wandering astray⁸ which belonged to Constance Bullok and sold it for 12*d.* in contempt of the Bailiffs, 6*d.* Henry Taillour made rescue from John de Etgefeld

¹ Unde magna caristia crevit victualium.² Duchemen.³ P. de S. est communis felliparius, torkeynando veteres pannos in novam formam.⁴ Communitas.⁵ Lusores ad talos.⁶ Cards for woolcombing.⁷ Unum bidew.⁸ Agnellum de strao vagantem.

taxer of the common tax of one basin and one ewer¹ in contempt &c., 6*d.* . . . John de Banham did likewise to the taxers, and broke their seal which they set in the name of seizure² in contempt of the lord King and the Bailiffs, 12*d.*

Verdict of the Leet of the new *Fee of the Castle* before Henry Skye and his fellows aforesaid in the 49th year . . . Adam de Hindringham, barber, is wont constantly to lay his muck³ in the King's highway through the whole year and likewise his carts⁴ by day and by night to the great nuisance of the neighbours and of all that gather together there, whereby the said way is always deeply and foully encumbered,⁵ 12*d.* . . . Thomas Tytel webstere is a leper, therefore he must go out of the city.⁶ Richard Jobbe living in a house at Normanspitel is a leper.

CCCXXI.—Leet Roll of 14 Richard II., 1391.

Roll of the Verdicts of the Leets of the City of Norwich before William Everard, Hugh de Holand, Thomas Hert and William de Crakeford, Bailiffs of the said City in the 14th year of the reign of King Richard the Second.

Verdicts of the Leet of *Conesford* taken on Tuesday in the 2nd week of Lent in the year aforesaid.

The Capital Pledges present that Roger Sperlyng by night with force and arms made assault upon John Merygo chaplain in the King's highway in affray and beat him and cast him to the earth contrary to the peace, and the said John raised the hue upon him rightfully, 40*d.* . . . John Merygo chaplain is wont to listen by night under his neighbours' eaves⁷ and is a common nightrover,⁸ 40*d.*, arrest . . . John Wake, dyer [lyster], is wont to throw ashes, paste [sic] and many other things issuing out of his craft into the King's river, to the blocking of the river . . . — has vexed John Lenn, wright, before the Dean wrongfully and is a common touter⁹ of the Dean, 12*d.* . . . Simon Ashfield has broken the assize of bread contrary to the proclamation, half a mark. Hugh the Baker¹⁰ has done likewise. . . .

¹ De uno pelvi et una lavatoria.

² Nomine arrestacionis.

³ Ponere finum suum.

⁴ Carectas.

⁵ Unde dicta via semper est profunda et turpis in incumbacionem.

⁶ Ideo exeat.

⁷ Sub parietibus vicinorum.

⁸ Notivagus.

⁹ Procurator. Tried to get cases into the Dean's court, no doubt receiving a commission.

¹⁰ Baxster.

Verdicts of the Leet of *Berstrete* on Thursday in the 2nd week of Lent aforesaid.

The Capital Pledges present that John Lekman gardener has obstructed a common cockey extending from Wastlegate to Newgatesend to the nuisance &c., 6*d.* Christiana wife of William Mattishall, is a common touter of the Dean, 12*d.*, arrest. Matilda de Paris is a common touter of the Official Corrector¹ and the Dean and has caused many men and women to lose their money wrongfully, 18*d.*, arrest. Thomas Fuystor is a leper. Isabella wife of Lucas de Icklingham is a leper.

Verdicts of the Leet of *S^t. Stephen* on Monday in the 2nd week of Lent aforesaid.

The wife of Henry Lant is wont to buy fowls, hens, capons, and other things in the market on Saturdays and sell them on Sundays at the gates of Holy Trinity to great heighening and forestalling and is a common forestaller whereof great outcry has arisen, 12*d.* Isabella Lucas² has and maintains a foul gutter³ running from her messuage into the King's highway, to the nuisance, &c., 6*d.* Isabella Lucas is a leper.

Verdicts of the Leet of *S^t. Peter de Manecroft* on Thursday in the 3rd week of Lent aforesaid.

William Roper attached Robert Baxster of Fornesete his debtor and delivered him without license of the Bailiffs, 20*d.* Walter Goldesmith exercises his craft⁴ and is not a citizen, half a mark. [31 others, the same.] All the bakers have broken the assize of bread.

Verdicts of the Leet of *S^t. Gregory* on Friday in the second week in Lent aforesaid.

John Storell is wont to catch young fry⁵ in the King's river and sell them to the men of Cromer and other men of the adjacent towns for bait⁶ and is a common forestaller to the heighening of the whole community, 10*s.* Thomas Pennyng is wont to receive divers strangers' horses with peds⁷ and take the peds into his own house, whereby the Bailiffs lose their custom and he is a common forestaller of fish, going outside the gates of the city contrary to the proclamation, half a mark Ralph Rieder is a common

¹ An official appointed by the Bishop.

² This must be the same as the Isabella presented above as a leper. Her surname is her husband's Christian name. Though a leper she seems to have been living in the city.

³ Vilem gutteram.

⁴ Utitur arte sua.

⁵ Capere yongfry.

⁶ Pro bayte.

⁷ Market baskets.

forestaller of reeds and tiles¹ to the great heighening of the whole community, 10s. . . .

Verdicts of the Leet of *S^c Giles* on Friday in the 4th week of Lent aforesaid.

John Francis stole a horse at Keswick Hall and sold it at Horning fair,² 1 mark. The same Francis stole a horse from Geoffrey Carter and detained it in his possession for a quarter and is a common thief, 12d. . . .

Verdicts of the Leet of *S^c Andrew* on Monday in the 4th week of Lent aforesaid.

John Wymer exercises his craft and is not a citizen and has 1 apprentice, 12d. [51 others amerced for the same] Simon Ashfield, Hugh Hedenham, John Erlham, Thomas Bloker, and William Attewater have confederated and conspired to control the market³ in forestalment of wheat and other corn⁴ to the heighening of the whole community whereof great outcry exists, 100s. . . . John Miller of Troues and his partner took of John Alberd 12 lbs. out of 3 bushels of wheat and of Henry Acres 5 lbs. out of 1 bushel of wheat and so they are wont to do to very many of the city, 1 mark

Verdicts of the Leet of *S^c George* on Tuesday in the 5th week of Lent aforesaid.

Verdicts of the Leet of *S^c Michael* on Thursday in the 4th week of Lent aforesaid.

John Hert of Heylesdon is wont to bring his beasts on to the common of Norwich⁵ and feed them there to the destruction of the community.

Verdict of the Leet of *S^c Clement* on Monday in the 5th week of Lent aforesaid.

John Worthstede parchemyner is wont to procure the customers⁶ of William Drawer for the other farmers⁷ of the Gates of the City, to grave damage, 12d. . . . Robert Heigham is outlawed and the Capital Pledge is amerced,⁸ half a mark. . . .

Verdict of the Leet of the new *Fee of the Castle* on Monday

¹ Arundinum et tegularum. ² Apud feriam de Horning.

³ Custodire mercatum. ⁴ Frumenti et aliorum bladorum.

⁵ In communitatem (? communam) Norwici. ⁶ Custumarii.

⁷ Aliis firmariis. He persuaded those who would have entered by William Drawer's gate and paid him toll, to enter by some other gate and give their toll to some other gate-keeper who had promised him a commission.

⁸ Robert Heigham would be outlawed for not appearing when charged with a serious crime. The Capital Pledge of his tithing is amerced for not producing him.

next after the feast of St. Petronilla the Virgin in the 14th year. [5 June, 1391.]

Giles Alberd has made a sawing pit¹ in the King's highway and a muck heap has been made there in nuisance, and likewise he has encumbered the highway there with a cart for a long time to the nuisance of all the neighbours, 6*d*.

[The following Extracts are from Leets and Tourns held by the Sheriffs of the City after the change in the form of government in 1404.]

CCCXXII.—Imperfect Rolls of the Leets in Lent 1551 and of the Sheriffs 2nd Tourn in April of that year. [Latin translated.]

City of Norwich. Leet of *St. Gregory* within the Ward of Wymer.

Inquests in the aforesaid leet of the Lord King taken and held at Norwich aforesaid in the Guildhall of the aforesaid City there before Thomas Morley and John Walters Sheriffs of the said City on the 26th day of February in the 5th year of Edward Sixth by the grace of God King of England France and Ireland Defender of the Faith and on earth supreme head of the church of England and Ireland by the oath of Thomas Wynter [and 13 others], capital pledges, who say upon their oath that John Eldrytche exercises his craft² within the City of Norwich as a citizen of the said City and is not a sworn citizen.³ Therefore he is in mercy, 6*d*. Twenty-three others ["fforeyns"] are fined 6*d*. each for the same. . . . And that Thomas Pate has exposed and sold ale in his house by measures unlawful and unsealed contrary to the form of the statute thereon issued and provided, 3*d*. Four other ["typplers"⁴] also fined 3*d*. . . . And that Roger Stannowe has sold in the market of the said City victuals corrupt and unwholesome for the bodies of the people or lieges⁵ of the Lord King, viz., le myssell bakon. Therefore in mercy, 4*d*. . . . And that Robert Clerk maintains divers suspected persons in his house playing at games⁶ unlawful and prohibited by law at unlawful and prohibited times. Therefore in mercy, 12*d*. . . . And that the Chamberlains annoy the King's highway at the cockey⁷ within the precinct of this leet to the great nuisance of the people and lieges of the Lord King at the Cockey³ in the parishes of Saints Gregory, Lawrence and Seynte

¹ Unum Sawyngpit.

² Occupat artem suam.

³ Civis juratus.

⁴ Beersellers.

⁵ Leges.

⁶ Joca.

⁷ Apud le cokeye.

Croyse. Therefore in mercy 4s. . . . And that no Capital Pledge of this leet will disclose our counsel in any causes under penalty of a forfeit of 10s.

[Leet of *Berstret*, in English.]

The Lete of our Sovereigne Lord etc. . . . on 2nd March . . . for the Warde of *Berstret* within the said Citie by the Othis of [13 persons] sworn, which sayeth by vertue of thir said Othis that thes persons here next after namyd Do Inhabite the said warde and occupie thir occupacions within the said Citie as Citizens and ben non, wherefore they ben amerced as folowyth: Nine "fforynors" fined. . . . *Typplers*.—These persons next after namyd ben amerced for typplyng of ale and beer with unlawful metts and measures and ben amerced as folowith, [2 persons], 3*d*. . . . *Bordall houses*.—Robert Heywarde for that he kipeth a bordale howse and suffer suspect persons to resorte to the same wherefor he is amerced 2s. Two persons for resorting thither, 3s. . . . *Brawlyng*.—John Pirkyn by cawse he is a Common Brawler with his neybors, 3*d*. . . . The Churchwardens of Saynt Martyns at the Bale for noyeing the King's heye waye with mucke and compasst, 3*d*. . . . Hewe Crowne for suffering his gutter to be corrupt into the anoyans of the Kyngs Lege people, 3*d*. . . . John Marsham for encroching the Kyngs hie waye in Saint Myhells Lane is amerced, 3s. 4*d*. . . . The Chamberlaynes of this Citie for not loking to the Corrupt Lane called Bartylmewes Lane, 5s. . . . Also yf any of our company shall bewraye the King's counsell his fellows or his owne he shall lose and forfeit 10s.

[*Sheriffs' 2nd Tourn*, 1551, English.]

Norwich. The turn for our Soverayn lorde Kyng Edward the Sext holden in the Gylde hall the xx^{ti} day off apryll the fyfth yere of hys majesties Reign before Thomas Morley and John Walters then beyng Shreffs off the Citye of Norwich.

The Ward of *berstrete Conford* and *trowse* [15 Jurors]. And they say by the othes that they have takyn that Wylliam Stewyns occupieth as a freman and ys non therefore he ys mercyd, 2*d*. . . . 26 others also amerced.

Wymer and *Mydyll Wymer* and also *Esl Wymer* Wards.

The turne with y^e resydue of y^e Lete¹ holden in y^e guylde hall in y^e xx^{ti} daye of Apryll. . . .

¹ For the meaning of this expression, see Introduction XII., p. 5.

The namys of the enquest. [12 Jurors]. . . . Whiche seythe upon yer othe that thes hereafter insuyng being fforeyners do occupye yer crafts and occupacions within ye lybertyes of ye seyde cyte whiche is a great detriment and hyndraunce of ye cytezens And yerfor yei be amerced as it apearyth. William Whylwryght, 6*d*. and he to be cytezen on ye feast of ye natyvyte of Seynt John baptyst insuyng under the penaltye of 3*s*. 4*d*. . . . And whereas ye baxter bake bread undyr thassyse therefor he is amercyd as it appeare. Jaffry Mychell 3*s*. 4*d*.

CCCXXIII.—*Extracts from the Sheriffs' Tourn of April 1676.*

Estreates [Extracta] indented of all and singular the fines and amercements assessed taxed and forfeited at the View of Frankpledge of the Lord King held at the Guildhall of the City of Norwich Before the venerable men William Drake and John Todd Sheriffs of the City aforesaid in their Tourn there on the 10th day of April, 1676, for the Ward of *Conisford, Beerstrete* and *Trowse*.

Jurors, William Weston John Seaman Robert Sewell Richard Bulbrooke John Norman George Bennett Isaiah Houghton Thomas Rand William Bulbrooke Thomas Cooke William Elmer Robert Billingly.

The severall persons whose names are hereunder written are severally amerced for their severall offences following.

Hercules Foster for one flagon not sealed, 6*d*. Elizabeth Crow widdow for her Street wanting paveing, 2*s*. 6*d*. . . . Liddia Remman widdow for a butt unsealed, Judith Bowde brewer, 2*s*. 9*d*. . . . Thomas Wrongrey for his Streete wanting paveing, 5*s*. . . . Margaret Baker, widd' for want of both water and a house of office for three or four of her tenements, £1 10*s*. . . . Francis Elderton for a halfe bushell being defective, 5*s*. . . . Mr. Thomas Cocke Chamberlin for the Street wanting paveing against the Church (St. John de Sepulchre), £2. . . . John Hardy for a two pound weight defective 10*s*. . . . Robert Riche at the Royall Oake for drawing beere with out license £1. . . . Nicholas Mallet for his Caunesy being defective 10*s*.

[Signed] John Manser, Mayor, Francis Bacon, Henry Watts.

The same day for the Ward of *Wymer*.

Jurors: John Adham, William Robinson Thomas Gibson John Bishop Edward Basse Thomas Kettle Thomas Norton John Benton Daniel Parker John Ansell John Hawes John Rose. . . . Mr.

Charles Gomold for a greate beame defective 10s. . . . Mr. John Westhorp and Mr. William Salter Churchwardens [of St. Andrew's] for the Street against the parish house wanting paveing 10s. . . . Thomas Warren for incumbring the Street with a post at the Corner of his house, 5s. . . . Mr. Thomas Cock Chamberlin for not paveing the Streete against the Hospitall Meadow £5. The same for not repairing the City Walls between St. Benedict's and Heygham Gates £5.

We whose names are subscribed being his Maties Justices of the Peace within the City of Nor^{wch} have perused these Estreats and doe affaere the same. John Manser Mayor, Fra. Bacon. 17 April.

The same day for the Ward *Over the Water*.

Jurors: Mathew Rose Thomas Lombe John Latree John Royall James Margery James Robinson George Rivens Isaac Pearcivoll Samuel Palmer John Goldinge Richard Lancaster Timotheus Knights Valentin Ockley. . . . Ed. Tubby for one penny household loafe wanting $\frac{1}{2}$ oz. a two penny loaf wanting $\frac{1}{2}$ and a 3 penny loaf wanting one ounce 4s. . . . Simon Crosshold for a quarter of a hundred weight wanting two ounces 2s. 6d. . . . Thomas Mills for a quart unsealed 6d. . . . Mr. William Rawley Bailiff of the Hospital for his Streete wanting repaire against Mr. Robinson's 6s. . . . Mr. Thomas Cocke Chamberlin for want of Stath in the lane next St. Martine's Gates £1; And a Stath wanting betweene Thomas Safreys and M^{rs} Toll widow £2; And for another Stath and a Bridge wanting by the Crowne £3. . . . James Canham for a Thirteendale unsealed 9d.

We whose names etc. John Manser Mayor, Fra. Bacon Henry Watts. 17 April.

Ward of *Mancroft*. No return. The following is for the previous Tourn of the same Sheriffs on 10 Oct. 1675.

Jurors: John Dame John Baleston John Scott Thomas Wymer Thomas Brady Thomas Cornwell William Lowe James Sayer Robert Chadley Richard Pitcher Jeremiah Brenton John Killeth Thomas Long John Hansell.

Wee present and amerce Henry Fulcher for denying the search of two flagons 1s. . . . Peter Coppin for halfe a barrel not contented at John Grounds 6d. . . . William Randall for one ellwan and one yardwan too short 7s. . . . John Balls brewer for two butts not contented at Francis Eatons 6s. . . . Mr. Cock Chamberlaine for the Street want paveing on the South side

of the Church yard 5s. . . . Daniell Hutchinson Goldsmyth
for one pound wanting 1s. . . . Nicholas Helwys for three
barrells and two hogsheads not contented at John Hunts at the
Cock 6s. . . . John Crome brewer for one barrell not
contented at Wylliam Gargraves 1s. . . . Thomas Thompson
for one barrell not and one butt contented, himself brewer 4s.

Wee whose names etc. John Manser Mayor Fra. Bacon, Henry
Woods. 25 October 1675.

Later Presentments.

CCCXXIV.—“The Presentments of the *Quest of Wards* of
Cunsford Beerstreet and Trows made at the General Quarter Sessions
held the twenty day of April 1694 as followeth.

Imprimis Wee present Nickholes Helwis Esq. for not mending
his street in St. John's of Timber hill.

12 names signed at the foot.

Norwich. The presentments of the *Quest of Wards* for the
great Ward of Conisford Bearstreet and Trowse Given in all the
generall quarter Sessions of the peace holden for the said City and
County of the same at the Guildhall of the said City the sixth day
of April 1695 and adjourned to the 22nd day of the same month.
as followeth. (12 presentors.)

MILITIA AND MUSTERS.

CCCXXV.—A View of Arms for the Leet of Conesford, 1355.¹
(*Translated.*)

View of Arms² before J. Bardolf³ de Wermegie and his fellows
Justices of the Lord King for preserving the Peace of the Lord King in
the County of Norfolk in⁴ the Leet of Conesford in the City of Norwich
made on Monday next after the feast of St. James the Apostle in the 29th
year of the reign of King Edward the third from the conquest of England
[27 July, 1355].

¹ The 14th Century Rolls here given have been more fully published and commented
on in *Norfolk Archaeology*, vol. xiv. p. 263 (*Norwich Militia in the Fourteenth Century*, by
the Rev. W. Hudson).

² See Special Preface on Militia, etc., Introduction XIII.

³ He succeeded his father at the age of 17 in 1329, and lived till 3rd August, 1371.
Blomefield, *History of Norfolk*, vii., 495.

⁴ De.

Constables fully armed.

William Skie one constable armed with doublet plate bacinett with pisan and aventail and brassarts and gloves.¹

John de Causton another constable armed in the same manner. One archer.

Fully armed² men.

Thomas Cole one of the Bailiffs of Norwich armed in the same manner. One archer.

Roger Middy

John Munfort³

John Middy [dead]

Thomas de Trows

William de Blibourgh

Henry de Bonington

John Rokele

John de Boyland, one archer

Guy de Burdeaux [dead]

Bartholomew de Reppes

All the above are described "armatus ut supra."

Half armed⁴ men.

Thomas de Hornyng, vintenaar, armed with doublet plate, bacinett with aventail and gloves of plate.⁵

Walter Whitbred, vintenaar

Thomas Soutere

John Latimer, vintenaar

John Bulneys hosteler

William de Mundham

Thomas de Lopham

Francis Spicer, vintenaar

John de Ware

Nicholas Stotere

Ralph de Kesewyk

Henry Nogon

Hugo Curszoun

Gilbert Sadler

William de Sporle

John de Toftes⁶

Alexander de Melton

Robert de Melton

Nicholas de Stoke

all "armed as above."

Archers.

William de Fretun, bow, arrows, sword and coutel.

William Hampyng

Henry Skye

Roger Cob

Walter the clerk

Bartholomew Broun

all "as above."

[*The Subleet of Conesford.*]

John Mounfort⁷ centenar,⁸ armed as above with lance and banner.⁹

¹ Unus constabularius armatus cum doublet plat' bacinett' cum pisan et aventail et bratz et cerotecis. On the armour and weapons, see *note* on p. 402.

² Plene armati. An armed man means one with defensive armour, of which the ordinary foot soldiers wore none. All carried some weapon of offence.

³ Added in later hand, Robert Papyngay.

⁴ Dirnid' armati.

⁵ Cerot' de plat.⁷

⁶ Added later, fully armed.

⁷ In another hand, James de Bliclyng.

⁸ Officer over 100 men.

⁹ Centenarius, armatus ut supra cum hasta et Baner.

Thomas de Hornyngg, vintenaar, ¹ armed with lance and pennon. ²	
Henry Noggon, armed as above	Roger Gyze, st. and cout.
Gilbert Sadeler armed as above	Geoffrey servant of Brisele, st. and cout.
John Mareschal with sword, staff and coutel	John de Elmham, sword, st. and cout.
Nicholas Stotere, armed as above	William Skynnere, sword st. and cout.
John de Honyngham wyex, staff and coutel	William de Burdeux st. and cout.
Richard Taillour with sword, staff and coutel	Simon Prest, st. and cout.
Robert Robleyard with staff and coutel	Adam Glaswrichte, sword st. and cout.
Thomas Potager, staff and coutel	Thomas Yonge, sword, st. and cout.
Walter Smith, ³ vintenaar armed as above with lance and pennon.	William Cobeler, st. and cout.
Geoffrey Craddock, wyex, sw. ⁴ c.	Richard de Peyte, sword st. and cout.
John de Toftes armed as above	John de Elmham, taillour s. c.
William de Alderforth s. c.	Richard Thaxtere s. c.
John Webbestor s. c.	William de Erpyngham s. c.
Robert Vyne sw. s. c.	John de Bulneys armed as above
William Mous s. c.	Henry Bacoun sw. s. c.
Richard Dauber s. c.	Richard Grout, Redere s. c.
Alexander Derham sw. s. c.	Roger Sappe sw. s. c.
William Gerneys wyex, sw. c.	Longe Jon s. c.
John de Buri s. c.	Henry taillour s. c.
John Latimer, hosteler, vintenaar, armed as above with lance and pennon.	Robert Skepperer s. c.
Robert de Melton armed as above	Thomas Cole armed as above
William Maszoun sw. s. c.	John Midday armed as above
William Cobelere s. c.	William Lakyngheth, wyex, sw. c.
William Hirde . . . s. c. ⁵	Henry servant of said William s. c.
Henry taillour s. c.	John Pays s. c.
Seman Botman s. c.	Thomas Love s. c.
Peter Dull, gysarm, sw. c.	William de . . . buri s. c.
Roger Midday armed as above	John de . . . eston s. c.
Four more names, illegible, all with s. and c.	
William de Bliburgh, vintenaar, ⁶ with lance and pennon.	
John de Bliburgh sw. s. c.	John Humberlond s. c.
Thomas Souter armed as within ⁷	Richard servant of William
Thomas of the Pyhtel s. c.	Bliburgh s. c.

¹ Officer over 20 men, Fr. *vingt*.² Vintenarius armatus cum hasta et pyncell'.³ In another hand, Robert Papyngay.⁴ sw. sword, s. staff, c. coutel.⁵ Added, bow and arrows.⁶ In another hand, Adam Gray.⁷ Infra, within the roll.

John Baroun s. c.	Roger Wathe s. c.
Hugo de Brundal hatchet ¹ sw. c.	Richard Keep hatchet c.
Adam Bultermouth s. c.	William Byng wyax, sw. c.
Richard Farwel hatchet sw. c.	William gardiner s. c.
William Cartere hatchet sw. c.	John Baxter hatchet, sw. c.
John Litster s. c.	Richard Baxtere s. c.
William Clerk s. c.	John sw. s. c.
Philip Bray hatchet sw. c.	John wyax sw. c.
Alan the Clerk s. c.	
John Rokele, vintenaar, armed, with lance and pennon.	
Guy de Burdauæ armed as within	Geoffrey de Chichestre wyax, sw. c.
Ralph de Stoke s. c.	William Rokel sw. s. c.
William Walle s. c.	Thomas Barfot s. c.
Henry de Wylton sw. s. c.	Adam Piper wyax c.
Nicholas de Chichestre s. c.	John Mirield s. c.
John Peny wyax sw. c.	Robert Mismay s. c.
John Crowe s. c.	Elyas Botman wyax sw. c.
Richard Chelyng s. c.	Walter Bailk wyax, sw. c.
Nicholas Gardiner s. c.	Walter de Chestre s. c.
Roger Selot s. c.	

[*The Subleet of Berstrete.*]

View of arms and of men agisted to arms in the leet of Berstrete.²

Thomas de Troues³ centenaar, armed and with lance and with banner.⁴

William de Mundham, vintenaar, armed and with lance and with pennon as within.

Walter de Swanton s. c.	Walter Streyt, redere s. c.
Servant of Letitia Kyng s. c.	Richard Pope s. c.
Petronilla de Bokenham to <u>find</u> a	Thomas S s. c.
man with s. c.	Bartholomew Brown, <u>bow</u> , <u>arrows</u>
Vincent Gykel s. c.	and sw. as within
William Wrighte wyax, sw. c.	Benedict Ankersmith sw. s. c.
Robert Pope s. c.	Hamo Ynge Soutere sw. c.
Robert Roper s. c.	Robert Skut gisarm, c.
Richard Taillour s. c.	Hugo Webbestere s. c.
John de Leek sw. s. c.	John Cosy s. c.
Stephen Beamund sw. s. c.	Simon son of Katerine Flye sw. s. c.
Thomas Tovel s. c.	
John de Boyland vintenaar armed as within and with lance with pennon.	
John de Essex s. c.	Thomas Tovel soutere s. c.
Ralph Smith s. c.	Robert Dade s. c.

¹ Hachia. ² Visus armorum et de hominibus agistatis ad arma in leta de Berstret.

³ In another hand, John Causton. ⁴ Vexillo.

Roger Cok	bow, arrows, sw. c.	Thomas de Lopham	armed as within
John Schipman,	cook sw. s. c.	Walter de Freton	bow, arrows, sw.
Thomas Custance	s. c.	Henry Taillour	Cralessheld s. c.
Robert Maye	s. c.	John de Ware	armed as within
William Smyth	wyax, c.	William Streit	s. c.
Ralph Leterman	s. c.	William de Sporle	armed as within
Henry de Mouelberton	wyax, sw. c.	John Gertmaker	s. c.
William Hampyng	bow, arrows c.	Walter the Clerk	bow, arrows, c.

Bartholomew de Reppes, vintenaar, armed as within with lance¹ and pennon.

Walter de Kesewyk	armed as within	William Knappe	s. c.
Stephen Lecman	s. c.	Thomas Ladde	sw. wyax c.
William de Walsham	wyax c.	Roger de Walsham	sw. s. c.
Adam de Ely	and pollex	Richard Hayroun	s. c.
John de Reppes, cordewainer	sw. s. c.	William Wet	s. c.
Henry Taillour	s. c.	William de Hardelee	s. c.
John Spicer	s. c.	Roger Noder	s. c.
Hamo garlicman	s. c.	Hugo Cursoun	armed as within,
John pottour	s. c.	archer	
Thomas Mariot	s. c.	Henry servant of William de	
Simon Neve de Wyghton	s. c.	Sporle	s. c.

Francis Spicer,² vintenaar, armed as within with lance and pennon.

Nicholas de Stoke	armed as within	William de Banham	s. c.
Alexander de Opton	armed as within	Stephen de Folsham	sw. s. c.
John de Ely	wyax, sw. c.	wyax sw. c.
John de Tudenham	s. c.		

The names of the remaining 12 persons in this vintenary are illegible. One "armatus ut infra" must be Henry de Bonyngton on the list of "fully armed." Two are archers; the rest have a staff and coutel, 1 a sword also.

CCCXXVI.—A View of Arms for the Leet of Mancroft. c. 1365.

*Leet of Mancroft.*³

Centenar.

Hugo de Holond, pourpoint, brassarts, shirt of mail, pisan, breast-plate, bascinet with aventail, vambrace and rerebrace, couters of iron, red coat of arms, sword and coutel, lance with a banner.⁴

¹ Lancea.

² In another hand, William Sporle.

³ This Roll is so defaced that it is almost illegible. Most of the names given are taken from *Kirkpatrick's notes*. The date is before 1370, for after the name of the Centenar, Hugo de Holond, is added in a later hand, John de Erpyngham. He was father of Sir Thomas Erpyngham and died in 1370.

⁴ purpoynt brac' paunce de mayle pisan plat' bac' cum avent' Waunbras et rerebrase Cuters de fer tunic' armat' rub' glad' et cutell' . . . hasta cum uno baner.

William de Dunston armed in like manner.¹

Centenar.

Robert de Fundenhale² purpoint, brassarts, pisan, breastplate, bascinet with aventail, gauntlets of iron,³ red coat of arms, lance⁴ with pennon, sword and coutel.

Vintenar.

Thomas Gronger, William de Thirkeby, Thomas Gerbald,⁵ William Tauerner, William Bakford,⁶ Hugo Haslak,⁷ John Galon, John Dewes, William Frankys,⁸ Gilbert de Seggeford.

Vintenars armed in like manner.

Fully armed men.

Robert de Bungey fully armed, purpoint, brassarts, pisan, bascinet with aventail, vambrace, rerebrace, couter, gauntlets of iron, red coat of arms, sword and coutel.

Peter de Weston

John de Tilneye

Hugo de Toftes

. . . . de Attilburgh

Thomas de Bumpstede with 1 armed man

. . . . Sadeler and his son

William de Thurston

John de Welbourne

John Warde

John Pluckrose

Ralph Chamberleyn

Walter de Multon

William Hasger

John de Erpyngham with 1 armed man and 2 archers

William de Bliklyng

Geoffrey de Hethirsete

John de Elyngham with 1 archer

John de Gnateshale

Roger Hert

Robert de Walcote

Peter de Blickling with 1 archer

Geoffrey Sewale

William de Blakeneye 2 armed men with 1 archer

William de Worstede

Henry de Salle

In all 29 men "armed in like manner," 5 archers and 1 other.

Half armed men.

Richard de Bunwell, purpoint, brassarts, breastplate, bascinet with aventail, gauntlets of iron, red coat of arms, sword and coutel.

[Twenty-two more half armed men follow, amongst them]

William Cobbe

John de Hendon

Thomas Cole, spuriur

Thomas Scherman

Thomas de Thirston

Robert de Bonewell

William Munfort

. . . . de Stowe

S . . . de Fornsete

Archers.

Henry Frostell, bow with arrows, sword, coutel.

¹ In later hand, John de Welbourn in Mercato.

² In later hand, John Latymer.

³ Cerotecis de ferr'.

⁴ Lancea.

⁵ Added in later hand, Richard de Bonewell.

⁶ Added, Henry Spynk.

⁷ Added, John Ward.

⁸ Added, John de Heydon.

[Then follow 56 others all having bows with arrows, among them being]

Peter Pouchemaker	Robert servant of Ralph Chamberlayn
William de Leek, tailor	Robert servant of William Hasger
Robert Goldesmyth	Andrew servant of Walter Peke
Thomas de Multon tailor	Warryle servant of Thomas
John Tailor de Barsham	Shereman
William de servant of	John Thurbald servant of Robert
Richard de Bunwell	de Walcote

Men without armour.

These number about 90 in all. Almost all of them carry a sword, staff and coutel. Among them are

Adam de Porynglond sword and coutel, and a gunner with powder.¹

John Spicer, sword and coutel, and a gunner with powder.

[. . . .] sword and sparthe.²

[. . . .] sword and sparthe.

Adam [. . . .] sword, coutel, wefle.

Roger servant of William de [. . . .] sword, coutel, wefle.

CCCXXVII.—A View of Arms for the Leet of Wymer.

Leet of Wymer.

Constables.

Roger de Hardegrey,³ Bartholomew de Appelyerd.⁴

Constables.

Hugo de Cantele, Geoffrey Rust.

[Fully armed men.]

John de Hevingham⁵ 3 men fully armed with 3 archers.

Adam his servant	staff and coutel	William de Elingham
John de Oulton		Geoffrey Boteler
William de Brook	with 1 archer	Henry atte Loft
Bartholomew Sonman		John de Berford
Richard Fish		Reginald de Gurmuncastre
Robert Thurkild		with an archer
John Pere		John Smeeth
John and Stephen his servants		with 1 archer
John de Welburn	with 1 archer	Walter de Bixton
William his brother, John his servant		with 1 archer
both with sw. s. c.		Robert de Bixton
		John de Hanele
		Thomas Stannard

¹ Gunarius cum pulvere. In another roll scarcely legible, the two gunners are entered "cum pillis, balls." ² Spartha.

³ Bailiff several times between 1337 and 1360.

⁴ Bailiff several times between 1355 and 1372.

⁵ Bailiff in 1361.

John Gernoun	Alice de Bumpsted 1 man fully
John de Ludham	armed, viz. Alan her servant
John Fairchild with 1 armed man	Simon Spenser with 1 archer
and 2 archers	Thomas Skip
Peter Fairchild with 1 archer	Andrew de Sharinton
Bartholomew Appelyerd with another	Robert Thurkild
armed man and 2 archers	Adam Baas
Stephen Silvestre	Thomas Gotte
Geoffrey de Hapton with Stephen	Richard Bencelyn
his brother archer	Thomas and John his servants
John Page	both with s. and c.
Philip Cosyn	Robert de Metton
Peter de Bumsted	Nicholas de Snyterton
Roger Hardegrey with another	William Gerard
armed man and 2 archers	Hugo de Holond
Simon de Blicling 2 fully armed	William de Worsted
men and 4 archers	Roger de Metingham
Edmund Lantorn with 1 archer	William de Draiton
John de Swanton with 1 archer	Thomas his servant s. and c.
William Reed	Robert de Bumpsted with another
Reginald Cobbe junior	armed man and 2 archers

[*Half armed men.*]

Richard de Harpele half armed, viz., haketon, breastplate, bascinet	
with aventail, iron gauntlets, sword and coutel.	
Geoffrey de Dounham as above	Henry de Bodekesham
James Ive as above, and Stephen	John Mannyng Rollere
his servant s. and c.	Peter de Weston
Richard de Worsted	John de Weston
Hugo de Cantele	John de Thorpedel' sadelere
Geoffrey Rust	William de Hornyng
Stephen de Basingham	Robert de Wyke

Archers.

Richard Starling, bow, arrows, sword and coutel.	
John Paytrek	Robert de Bumpstede, goldsmyth
Nicholas de Baldeswelle	Nicholas de Betele
Thomas de Hethel	Geoffrey de Lound, bowyere
John and Reginald his servants	Nicholas atte Water
Walter de Berneye	Matthew Sherman
Richard his servant	William de Polham
Adam de Horstede	John Payns
Thomas de Stanhowe	John his servant
John de Erlham, mercer	William Tut

William atte Lane	Nicholas Dory
John, Stephen and John his servants	Ralph his servant
William Chaundeler, peyntour	Simon Acora
Reginald Smyth	Peter and John his servants
Richard and Hugo his servants	Walter Oysel [? servant]
Ralph Grote	Gilbert Berghmakere ¹
Nicholas and Richard his servants	Simon de Colby
John Bowyere	Roger his servant
John de Mounteneye	John de Topcroft
John Sterre	Richard and Robert his servants
James Smyth	John Wade
Henry Ropere	Richard and John his servants
Robert Bunch	William de Eton
Richard Deye, pelter	Richard of y ^e Castel
Adam Lompnour	William de Bernyngham
Richard Fleccher	James his brother [? servant]
John de Tyd, taliour	Thomas de Hekeling
Nicholas and Thomas Torald	William de Bokenham, smyth
John Trowelove fleccher	John and John and Hermann
Gilbert de Colton, latoner	servants of William

All the above have bows, arrows, sword and coutel, except the "servants," who have only a staff and a coutel.

[Men without Armour.]

[There are 257 of these, all having a staff and coutel, and 18 a sword also. No other weapons are mentioned. Among them are the following :]

Robert de Stamford, mason	John de Brandeston, shedere ⁸
William Hakeneyman	Roger de Giselham, shedere
Henry de Banbyri, taliour ²	Robert Coteler
John de Colney, cordewaner	Peter his servant
William his servant	Peter Loksmyth
Adam Lovelyk	William his servant
John Bonde his servant	Thomas Skynnere
John de Hevingham, hosteler	Bartholomew Peyntour sw.
Roger Malemakere	Bartholomew Bishop sw.
William de Bonewell, cordewaner sw.	Roger Barkere of Heigham
Geoffrey Clerk of SS. Simon and Jude	John Cowper in Holtor
James de Blofeld, taliour	Thomas and Henry his servants
Henry and Peter and Adam his servants	William Shereman and Ralph his servant

¹ ? Barrowmaker. Berwe, barrow, Wright-Wülcher *Vocab.*

² No less than 14 persons in this list are described as "taliour."

³ Perhaps for "shether," a maker of sword sheaths.

Walter Byrch, corayour¹ and William
his servant
Thomas Barbour atte Tomlond
Richard Currayour
Robert his brother
John Gamage, pelter²
William de Bokenham, baxter
Thomas Tournour sw.
Richard Fourbour
Thomas atte strete, glover
Peter de Jorn, grauere⁴
Thomas de Belagh, latoner
John Clerk, chaundeler
Peter de Walsoken, glover
Robert Peyntour
William Brasyere
Richard Scordy, pelter
Robert Shedere
Thomas atte Mor, cordewaner and
John his servant
James Sheraday sw.
William de Wykes, taliour
Henry and John his servants
William Bordcleuere⁶
Robert de Massingham, taliour
Nicholas, Walter and Clement his
servants

Robert de Bonewelle sw.
Thomas John and James his servants
Robteler [? Rob. Teler] fullere
Robert de Barnham, smyth sw.
Richard his servant
Andrew le Millere
John de Pekenham, peltre
Henry le Wryghte, carpenter
David de Marlingford, webstere⁸
Robert de Eye, taliour
Robert his servant
Robert peyntor de Suffolk
Robert ye cartere
Bartholomew Daubere⁶
Adam Cordewaner
Peter his brother
William Bout, plomer and Simon
his servant
Roger de Cosseye, mason
Thomas Spark, webestere
John de Sweynsthorpe
John and John, James and Andrew
his servants
Roger Daubere
John Albon, baxstere

CCCXXVIII.—A View of Arms for the Leet Ultra Aquam.

[This is an Analysis made by Kirkpatrick of a Roll now lost.]

Ultra Aquam.

Constables. Roger Berte.⁷ Robert Spicer.⁸

	Armed Men.	Arch- ers.		Armed Men.	Arch- ers.
Richard Spynk	3	3	Roger de Botone	1	1
John But	3	4	John Hoker ⁹	1	
John de Welles	1	1	John atte Grene	1	1
Robert Spicer	1	2	Master John de Cone	ful. arm.	1

¹ Currier.

² Skinner.

³ Weaver.

⁴ Sculptor.

⁵ Plasterer.

⁶ Board cleaver.

⁷ Bailiff 1356 and 1362.

⁸ Bailiff 1357 and 1369.

⁹ Marked "Vintemar" in the margin.

Roger Berte	1	Henry de Playford	1 armed man
William But	1	Adam de Gouthorp	fully armed
John de Wynterton	1	Master John de Ely	fully armed
John de Bastwyk ¹	1	Thomas de Eggefeld	fully armed
Peter Markaunt	1	Edmund de Wyechem	half armed
Stephen Sturmere	1	Roger Brokedish	fully armed
Edmund Alderford	2 2	Robert Heye	half armed
Simon de Alemannia	fully armed	Richard de Catton	half armed
John Staloun ¹	fully armed	Richard de Dilham ¹	half armed
Reginald Cobbe	fully armed 1	John Barker	half armed
William Plomer ¹	fully armed	John de Gyssyng	half armed
Nicholas Munfort	fully armed	Roger Halesworth ¹	half armed
Thomas de Dounham	1 armed	John de Eggefeld	half armed
	man 1 archer	Thomas Interford	half armed
Walter de Underwode	1 „	Ralph Lynes	half armed
Roger de Multon ¹	1 „	William Swon	[in another hand]
Ralph de Bungeye, Kooc	1 „		

N.B. After all these Armat' et plene armat' et di' armat' foll. 26 Sagittar' and lastly 81 men omnes cum glad' bacul' et cutell'.

So yt ye numb' of ye men for that Lete were 169.

CCCXXIX.—Roll of Array for the Leet of Wymer.

An Array² made by order of³ John Bardolf and his fellows Justices by mandate of the Lord King and by [? oath]⁴ of John de Welbourn⁵ bailiff of Norwich and Hugo de Cauntele and Adam Baas Constables of the said Vill⁶ and Robert de Bumpsted and Walter de Bixtone for the Leet of Wymer sworn to make the Array etc.

John de Hevyngham 1 man armed with purpoint, breast-plate or hauberk bascinet with aventail and gauntlets sword and coutel.

John de Oulton, Adam Baas, John Pere, 1 man armed, Laurence Rape.

John de Welbourne⁷ a man armed with purpoint, breastplate, bascinet with aventail, sword, Richard Starlyng.

John Fairchild 1 man armed as John de Hevyngham. He is able in body.⁸

Peter Fairchild 1 man armed as John de Hevyngham.

¹ All these 6 are marked "Vinetenar" in the margin.

² This heading, now scarcely legible, is here taken from Kirkpatrick's copy.

³ Per mandatum ? by error for coram, in presence of.

⁴ Illegible.

⁵ John de Welborne (de Cueria) was Bailiff in 1359, 1361, and 1365. This array was perhaps in 1359. See *Norf. Arch.*, xiv., 312.

⁶ Ville.

⁷ In cueria added.

⁸ Sufficit in corpore.

Robert de Bumpsted 1 man armed as John de Hevyngham. [In later hand, Thomas Gotte, Bartholomew Appelyerd, Roger Hardegrey, 2 men armed 1 archer.]

Bartholomew Appelyerd 1 man etc., John Page.

Edmund Lent 1 man etc.

Simon de Bliclyng 1 man etc., Peter his servant.

Roger Hardegrey 1 man etc., Geoffrey his servant.

Walter de Bixton 1 man etc., John his servant.

Reginald Herle de Huntyngdon, 1 man armed. Edmund Pilcrowe is assigned to carry the arms¹ of the said Reginald because Reginald is unfit.²

Hugo de Holand 1 man armed, Sharyngton.

Richard Bencelyn, John Page 1 man armed.

John Lothal, Thomas Skip and Thomas Stannard, 1 man armed.

William Stannard in their place.

James Ive, half an armed man, Richard de Worsted and Hugo de Cantele, half an armed man. Robert Skiet servant of Stephen in place of James, Richard and Hugo.

John Gernoun, Robert de Metton, Thomas Furbour, John de Upton, 1 man armed, and the said John is able in body to carry the arms.

Geoffrey Cuteler bow, sw. c.

John Berford bow, sw. c.

Nicholas de Bawdeswell staff, sw. c.

William Gerard archer

John de W archer

John de Dilham staff, sw. c.

Gilbert Dornix³ maker, st. c.

Stephen Basingham sw. c.

William de Drayton bow, sw. c.

Roger Metyngham staff, sw. c.

William Reed st. c.

Geoffrey Rust bow, arrows

Bartholomew Bishop st. c.

John Leche pende, st. c.

Geoffrey de Dunham st. c.

Richard de Helgeye bow, arrows

Robert de Wykes

Bartholomew Soneman } st. c.

John Lambard st. c.

Thomas Hedyngham st. c.

Clement Fisshman } st. c.

Ralph Moreman }

John Payn st. c.

John atte brigg tanner, st. c.

William Elyngham } bow, arrows

William de Pulham }

Nicholas Sniterton hatchet, c.

. . . . Thurkild st. c.

William de Hornyngg sw. st. c.

John Brok st. c.

Robert Pykenham st. c.

Henry Nodel bow, arrows

Gilbert Olton st. c.

John Neve wrighte, st. c. [?]

John st. c.

John Hedenham, baxtere st. c.

¹ Ad arma portanda.

² Impotens.

³ A coarse sort of damask for carpets and curtains.

CCCXXX.—Another very similar Array on the dorse of the last Roll.*Norwich.*

Array and Agistment¹ of armed men and archers in the Leet of Wymer in the City of Norwich before John de Bardolph and his fellows Justices of the Lord King to array men at arms and archers in the County of Norfolk the men next armed below are armed with purpoints and breastplates or aketon and hauberk bascinet with aventail gauntlets of plate sword and coutel.

John de Hevyngham is agisted and arrayed at 1 footman armed (as above). And because the said John is unfit to labour at carrying his arms let there be assigned in his place [—].

[Then follow most of the names of those who have to find armed men, as in the last Roll. No unarmed men or archers are mentioned.]

Kirkpatrick mentions a 3rd very similar Roll indented, beginning "*Norwich, Leet of Wymer.* Agistment and Array of men at arms and archers before John Bardolph. . . . John de Hevingham is agisted and arrayed etc."

He adds "and so 11 more much as in manner above and then 11 Sagittarii then 21 men each with staff and coutel."

"N.B. These from last two Rolls could not be matters of y^e whole ward, but rather as I judge were for some expedition."

CCCXXXI.—[The following is preserved in Kirkpatrick's Notes.]

Names of armed men for the City of Norwich sworn to go out to the service of the Lord King by mandate of the Lord King at the feast of Easter in the 33rd year of the reign of King Edward III. [Easter 1359.]

Thomas de Dauentre, Bartholomew Brown, Roger de Halesworth, vintenaar, Robert Popyngay, etc. In all 96.

Valuers of Armour² Roger Berte, John Staloun, John Gnateshale, William Gnateshale, Thomas Cole.

Sum of dublets 9; breastplates 21, (some, pairs of plates); aventails 25; pisans 22; bascinets 24; gauntlets 19, (some of plate); brassarts 20 (some pairs of brassarts).³

Note on the Armour and Weapons mentioned in the foregoing extracts.

The Head and Neck.—The head was protected by a "bascinet," a bason-shaped helmet of metal. It was always provided with an "aventail"

¹ Agistacio.

² Apprec(iatores) Armature.

³ For some further information from some lost Rolls belonging to this period preserved by Kirkpatrick, see *Norfolk Archaeology*, Vol. XIV., pp. 316, 319.

(avant-taille), the visor or movable front which could be raised when convenient. The "pisan" (or pusane) worn by the fully armed men was a metal covering to protect the neck.

The Body.—This consisted of 2 pieces. There was an under-garment chiefly made of leather, which was called a "doublet" from being of double material stuffed; or a "purpoint," from being quilted and stitched; or an "acketon," afterwards called jacket. Over this garment came a metal protection or breastplate, described here as "plat." Instead of this was sometimes worn a "hauberion," habergeon or coat of mail. The Centenar of Mancroft wore a "paunse de maille," a shirt of mail between the doublet and the plate.

The Arms and Hands.—The "bratz" or brassarts were coverings for the arms. They were of 2 parts, the "vant bras," avant bras, for the fore-arm from the wrist to the elbow, and the "rerebras," from the elbow to the shoulder. They were made of maille or of steel (*Norf. Arch.*, xiv. 320). The "cuters" (couteres, or coudieres) were elbow pieces of iron. The hands were protected by gauntlets (cerotece) of plate or iron.

No defence for the leg is mentioned.

The Surcoat.—The Mancroft men had a "tunic' armat' rub," a red coat of arms. No doubt it was worn also in the other Leets. It was worn over the armour and ornamented in distinctive colours and perhaps a special device. The Norwich colour here was red. On another occasion (see p. 272), it was party-coloured red and white. What the device may have been we cannot say.

The Weapons.—The officers carried a lance with a banner or pennon, and also a sword and coutell, which 2 were carried by the armed men. A coutell (cutellus) would include any kind of dagger, knife or similar weapon. The unarmed soldiers in almost all cases had a "baculus" staff. This, as well as the "coutell" which they also carried probably included a variety of weapons. But many others are specifically mentioned, as a "hachia" hatchet; a "wyax" a two-edged axe (?); a "pollex," pole axe with a long shaft, a "spartha" a spear or axe¹; a "gysarm" a bill with a spike at the back.² The 2 "guns with powder" brought by 2 leading citizens of Mancroft Leet must have been hand guns the use of which had not long been introduced into England. The "wefles" carried by 2 Mancroft men were probably staves of some kind (not swords, for these 2 men had swords). In after days the name was familiar enough in

¹ A kind of partisan used in the fifteenth century (figured as a long pike) Fairholt *Costume, etc.*, s. v. spetum; "sparthe, an axe or halberd, Halliwell.

² Halliwell "gisarm."

Norwich. The "whiffers" walked in front of the procession of the Guild of St. George (the municipal procession) and cleared the way by brandishing their whiffles in all directions.¹

Musters in the XVth Century.

CCCCXXII.—Extracts from the 1st Assembly Book (translated).

[*In the time of John Chittok Mayor.*] fol. xxxiii.

Assembly held on Friday next before the feast of St. Luke Evangelist, 36 H. VI. [14 Oct. 1457.]

On the said day the Constables were warned to summon all the Inhabitants in their Aldermanries and Constabularies² to have arms everyone according to the requirement of his condition.³ And the same day was sent a letter missive⁴ from the Town of Great Yarmouth directed to the Mayor and Common Council of the City in which it is contained that the enemies of our Lord the King of England propose, as they are certainly informed, to sit down⁵ within the said Town of Great Yarmouth (which God forbid) unless they are quickly resisted [sic] and fortified⁶ with armed men of the city, for which they entreat for refuge and remedy.

Thereupon by the Common Council of the City it was ordered and agreed in the form following that the underwritten persons have power of ordering according to their discretion for sending 200 men to the said Town of Yarmouth and assessing a reasonable aid upon every inhabitant within the City towards the cost and wages of the 200 men for 8 days, if it should be needful for so long time, and the names of the persons having the said power are these, to wit,

In the Ward of *Conesford*, Richard Brasier, William Burly, Aldermen; Simon Trusse, John Edward, Walter Jeffrey, William Byssshop, Commoners.

In the Ward of *Mancroft*, John Gilbert, Thomas Elyes, Aldermen; John Swayn, Robert Graneway, Thomas Bokenham, senior, John Yates Fuller.

In the Ward of *Wymer*, John Drolle, Edward Coteler, Aldermen; William Sayer, Roger Cook, Roger Best, John Burton.

In the Ward *Ultra Aquam*, Gregory Draper, John Butte Aldermen; Henry Toke, Roger Griggis, Henry Bardolf, William Swan.

¹ The greater part of the above information is derived from Fairholt, *Costume in England with Glossary*.

² The transition from Constabularies to Aldermanries may here be traced. The city was now organised into 12 Aldermanries, but the Musters were still based on the old 10 Constabularies or Subleets. (See No. CCCXXXVI., p. 407, note 1.)

³ *Exigenciam sui status.*

⁴ *Missiva.*

⁵ *Obsidere.* They seem to have expected a siege by land as well as by sea. Sandwich had been taken by the French (Stubbs *Const. Hist.* III. 181.)

⁶ *Resistantur et fortificantur.*

And it is agreed that if anyone of the aforewritten persons fail at the hour fixed by the Mayor he shall forfeit 6*d.* to the Commonalty.

CCCXXXIII.—[*In the time of John Gilbert Mayor*] fol. xlii.

Assembly held on Wednesday next after the feast of the Purification of the Blessed Mary Virgin. [38 H. VI. 6 Feb. 1460.]

[A Commission was read directed to the Mayor and Sheriffs ordering every one dwelling in the City and suburbs to have his own arms and not other mens or borrowed as well offensive¹ as defensive and to wait upon² the person of the King, where, when and as often as warned, and that on their faith and allegiance, and also requiring a certain number of able-bodied men and archers] to resist the malice and enmity of Richard lately Duke of York,³ Edward lately Earl of March, Richard lately Earl of Warwick, Richard lately Earl of Salisbury and Edmund lately Earl of Rutland [and] their accomplices and in defence and for the security and prosperity of the royal person of the said Lord our King.

And the Mayor by the Recorder declared how the Commissioners used all diligence . . . in ordering all Inhabitants to array themselves . . . and how the Constables were warned to view the arms of all and singular Inhabitants in their Constabularies and to bring to the notice⁴ of the Mayor and Commissioners all the arms of every one described⁵ in a schedule.

[The same day persons were appointed to assess all who were of sufficient estate to bear the expense]. And it was granted that the sum to be assessed should extend to 200 marks and also it was granted that the poor inhabitants of the City should not be assessed to any parcel of it, but it should be laid upon those persons who according to their consciences could truly and lawfully bear the sums to be affeered upon them.

For the Ward of *Conesford*, Richard Brasier, William Barly, Aldermen.

For the Ward of *Mancroft*, Robert T[. . .]⁶ William [. . .]⁷ [Aldermen].

For the Ward of *Wymer*, John Drolle, John Chittock, Edmund Coteler, Aldermen.

For the Ward *Ultra Aquam*, Gregory Draper, Richard Albon, Aldermen.

CCCXXXIV.—Assembly held on Monday next after the feast of the Epiphany, 39 H. VI. [12 Jan. 1461], fol. xlvii.

[A commission was read ordering the Mayor to summon all the King's

¹ Invasiva. ² Intendend' circa.

³ This was the campaign which ended in the Yorkist victory and capture of King Henry in July (Stubbs *C.H.* III., 189).

⁴ Ad noticiam deferend'.

⁵ Intitul'.

⁶ Torn in MS.

⁷ Torn in MS.

lieges and subjects of every condition to come well armed to defend his person,¹ and enjoining the Mayor to come "cum omni posse Civitatis." Dated at Westminster 3rd day of January in the 39th year of the King's reign.]

And after the reading, mature consultation² and deliberation being had, by advice of the Commonalty they thus concluded that the Aldermen with those who are or have been Sheriffs of the City should find 40 able and serviceable³ persons according to the tenor of the Commission, and the Commonalty of the City should find 80 men to be assessed by the Wards and parishes of the City and suburbs of the same at the discretion of the Mayor.

CCCXXXV.—Assembly held on Monday next after the feast of St. Agnes Virgin in the aforesaid year. [26 Jan. 1461.]

[After reading of another Commission concerning the aforesaid Commission] the Mayor declared that William Rokewode Esquire by great labour and constant supplication has now taken upon himself to be Captain⁴ of the said 120 soldiers going to our Lord the King wherever he may be in England at the cost of the City, which soldiers are pledged⁵ for 6 weeks each of them taking 6*d.* a day, that is, every soldier shall have for his wage⁶ 21 shillings. And it is granted by the Commonalty that the cost as well of the outfit⁷ as of other necessities of the said Captain shall be ordered⁸ out of the Treasury of the City which it is lawful to take, beyond the moneys received from the Prior⁹ of the Cathedral of Norwich, viz. 10 marks freely given by the said Prior towards the safe keeping of the City, and from the Master of the Hospital of St. Giles in the said City 4 marks, and from the Dean of the College of St. Mary in the Fields 40 shillings also given by the said Master and Dean towards the safe keeping of the City, which extend to the sum of 17 marks. And that as well the expenses for the custody of the City as the expenses of the said Captain shall be made by counsel and advice of divers men for that purpose elected, whose names are underwritten. And also the fees and wages¹⁰ of the Officers of the City and of the Citizens for Parliament shall be met¹¹ out of the Treasury of the City as etc.

¹ The Lancastrian victory in December had revived the King's cause. But during this spring Edward was offered the crown in London and after the decisive victory of Towton was crowned on 29th June. See *ante*, No. CCXXIV.

² Communicacione.

³ Sufficientes et defensibiles.

⁴ Capitaneus.

⁵ Vadiati.

⁶ Stipendio.

⁷ Apparatus.

⁸ Preceptum.

⁹ The Prior and Ecclesiastics mentioned here held special privileges and could not be compelled to contribute except by royal order.

¹⁰ Vadia.

¹¹ Pacata.

CCCCXXVI.—A Muster c. 1457.¹ (From *O.F.B.* fol. 20d.)

T. J. Ch. [? Tempore Johannis Chittock.]

Conesford.

Robert Cobbald xld	Henry Caster ijs
John Edward j whit harneys and a	Robert Wolde j haberion
Jak ²	Thomas Goldebeter j Jak 3 vs
Thomas Cryne ij Jakkes 4 ³	Thomas Stillyngton j haberr'
John Goos j Jak vs	John Rook j Jak vs
Baly xld	Sir ⁴ John Stathe j Jak
John Hauk j Jak 2	Simon Trusse j whit harneys and
Reder vs	Jak
Nicholas Ferroure j Jak	Robert Polle j hab' xld
Thomas Stevenys j Jak 3	John Thurton j Jak vjs vjd
Margery Trewe j Jak 2	Thomas Jermyn j Jak
James Shomaker ijs	John Clement j Jak 2
Thom' Selleres j Jak	John Shortewode j hab'
Cotting ijs	Wife of J. Balyngate j harneys
Will. Wellis j hauberion	j Jak 2
Thom' Burgeys j Jak 3 vs	William Wylls ij Jakkes 6
James Goldebeter j Jak 4	Thomas Stalon j Jak 3 xld
Thom' Hervy j Jak 4	William Rothe j Jak 4 ijs
Nicholas Oby j whit harneys and	Robert Boys j Jak 2 xld
ij Jakkes —	John Boydon j Jak 3 ijs
Edmund Turnour ij Jakkes —	Geoffrey at Mer j Jak 3
John Sweyn j Jak 3	Henry Cook xld
James Drewe j Jak 3 vs	William Kynnok j hab'
John Tasburgh	John Kyng Worstedwever j Jak
Richard Longe ijs	[? hab]

¹ This list of names, though of probably the same date as the extract from the Assembly Rolls numbered CCCXXII. seems hardly to describe the provision of 200 men there ordered. It contains the names of about 600 persons assessed for money or armour or both, some 80 of whom assessed for money only appear to be additions to the original list. The arrangement is based on the old 10 subleets, with the addition of Holmstrete after the Ward of Wymer and St. Paul's or Normansland after that of Ultra Aquam. There is an artificial correspondence in the number of "Jakkes" assigned to the old sub-divisions, in the earlier cases about 35 (Mancroft having double), in the later about 50. The total number of "Jakkes" thus assigned is 480, which seems to point to a theoretical total of 500, or 50 to each sub-division, some of them being favourably treated. The money does not fall under any such system. The number of "Jakkes" and the separate entries of money usually exceed those given at the end of a sub-division.

² The "jakke" or jacket was similar to the "gambeson" (Fairholt) or to the doublet (Halliwell).

³ The meaning of these numbers is uncertain. 187 names are marked with a +, and 195 with the symbol for the letter a, many with both. No explanation is apparent.

⁴ Dominicus.

John Berton j Jak	Thomas Edmundes j hab'
Robert Cook, hosier j Jak 3	John Head ijs
Richard MerSSH j Jak xld	Roger Clarke ijs
Robert Lenyes j Jak 2	Thomas Mariot
Sampson Bole j Jak 2 ijs	John Dalenger ij

Aldermen John Folkard, William Barly, John Butte xxxvij Jakkes 4 li.

Berstrete.

John Carrowe	John Loveday	Robert Eston
John Belhawe	John Gerard	Peter Fordele
William Colyns	John Barbor, bocher	Ralph Pygot
Robert Thakker	Henry Thurton	Thomas Pert
John Cok candelar	William Mundeford	Robert Stubberd
Robert Cok al' Bedyng- ham	Thomas Alicok	Nicholas Rynger
John Bukle	William Boonde	William Coket
William Fysshier	William Bysshoppe	John Gardyn
Thomas Hacket	Robert Mayor	William Scoler
William Mathewe	Andrew Coupere	Thomas Batylde
John Thakker	Thomas Cole	Peter Curson
John Gowes	William Underwode	<i>Aldermen</i> Richard
William Mundes	Walter Jeffrey	Brasier, Thomas Elyes
Simon Childe	Robert Hynton	xxxvij Jakkes
William Aubry	Wife of J. Redyng	ij li xxd
John Maggis	William Howe	
Adam Aubry	William Terry	
	William Lynys	

Nedham.

John Gryme	Robert Lounde	M. Richard Purlond
John Swan	Thomas Welan	John Derby
John Banyard	Richard London	John Arnold
Thomas Bokyngham	Thomas Knyght	Davy Payn
sen ^r	Nicholas Calwe	William Whustyll
John Davy	John Brewyn	Nicholas Cossey
John Stanhowe	William Lyster	Henry Gronger
John Skowe	John Westacre	Thomas Tylby
John zatis	John Hagoner	Robert Chapman
Robert Smyth	Richard Anyell	<i>Aldermen</i> John Gilbert,
Thomas Bokynham jun.	M. ¹ Thomas Kyngiseye	William Norwich
William	John Bower	xxxiiij Jakkes
Thomas Blythe	John Erpyngham	ij li iijs iiijd
Henry Spenser	Robert Werkton	
Robert Broun		

Mancrofte.

Robert Mortymer	William Sweyn	Richard Bedon
Robert Crosse barbo ^r	John Causton	John Haseburgh
John Shotesham	Nicholas at Belle	John Pert
Wife of Richard Ber ^r	William Plesaunce	Roger Alman
Alic ^r Blakeney	Richard Campe	Robert Pert
Beatrix Balle at Mer	Richard Bedon	Edmund Rede
John Ode	Henry Kyng	Robert Granewey
Wife of Agn ^r Eton	William London	Godfrey Joye
Thomas Dobbys	Thomas Wulvesby	Richard Smith
Thomas Holle	William Folkard	William Deynes
John Holle	Edmund Love	John Tubbyng
Henry Wylton	John Meye	William Todenham
William Scarlet	Randulph Wilbeye	Robert Dryver
Wife of Thomas Aleyn	Nicholas Cosseye	John Pecok
William Pykyng	John Barbour	John Game
John Sherman	John Fuller Cord ^r	John Faukoner
Thomas Wymer	John Brown Cord ^r	Simon Chirch
Bartholomew Splytte	Robert Osbern	John Lawes
Robert Tompson	William Attekyns	Thomas Hawe, gravor
Richard Boteler	John Brounflete	John Pumpe
John Sherman, pedder	Thomas Antyngham	Robert Barbor, skepper
Roger Wanerey	William Shirreve	John Walden
Bartholomew Hildes	John Sexteyn	Thomas Derham
John Warde	William Forest	Bartholomew Erle
William Doughty	William Essh	John Langer
John Knotte	John Curson	John Tevel
Robert Hynton	Richard Ray	<i>Ald.</i> Robert Toppe
John Tayllor	Derik Ducheman	lxx Jakkes

St. Giles.

Thomas Glaunvyle	Lady ² Marg ^r Purdaunce	William Forest
Stephen Multon	Thomas Hervy	William Bake
John Phelipp	John Martyn	John Olyver
Nicholas Shaxton	Ye fremason	Thomas Walyssch
John Colton	Ede Grante	Roger Tayllor
Richard Baxter	John Trey	Robert Poule
John Carter, couper	Roger Cock	John Bryde
John zatis	15 Jakkes ³	Robert Syred
Andrew Broun	Wat ^r Billeys	William Wyller.
Sir ¹ John Alcock	John Cuttyng	Aug ^r Reynere
^{Robert} John Davy	William Pettowe	Thomas Kempe
Roger Baxter	Bartholomew Mathewe	v li ijs

¹ Dominus.

² Domina.

³ The addition of the 35 assigned below to the fourth set of names in Wymer (? Holmestrete) would make this sub-division up to 50.

Wymer.¹

Richard Merchaunt	John Hervy jun ^r	John Walkern
John at Water	John Hervy sen ^r	William Oudolf
William Galle	William Flegge	William Petyston
Robert Herman	Peter Laurence	John Sadeler, patyn-
John Covyn	Thomas Neve	maker
Berre, shomaker	Marg' Ampulford	Richard Wanerey
Edmund Colman	Simon Denyes	Hugh Lyngewode
John Newman	Richard Ante	John Cleyte
Thomas Bowr'	John Maddyes	John Morys
William Stronde	William Bowde	Peter Boteler
William Wode	John Gogeney	John Style
Robert Davy	Thomas Hodgys	John Honeworth
John Story	William Davy	Robert Heyham
William Aleyn	John Wethy	Henry Clerk
William Reve	Phillipus Elyes	Alexander Dylham
William Warrenyk	John Skot	William Reyner
John Barly	William Longe	John Wrane
Jowet Bumpstede	John Wellys	Robert Halle
William Antyngham	James Note	John Maddyes
John Stalon sen ^r	John Payn	Thomas Wellis
Stephen Stalon	Henry Hikelyng	William Rammeseye
Wife of Stephen Austyn	John Heryng	lij Jakkes
William Sayve	John Broun bocher	

Wymer.²

Thomas Willeson	John Wade patenmaker	Thomas Fraunsham
Robert Gravor	Guyll ^o Shomaker	Marg' Goche
Robert Moor	Richard Hofte	Robert Patynmaker
Thomas Flourdewe	Thomas Stulle	William Knapton
Richard Davy	Simon Postell	John Burton
John Roo, Steynour	Henry Carter	John Skypptyng
John Norton	Henry Mayster	John Cook, drapere
John Qwyncy	John Martyn	John Sherman
Roger Ayleward	William Pepyr	Hauze Hardwareman
William Gosselyn	Henry Comber	Thomas Cambrigge
John Goos	William Henstede	John Beklis
Thomas Sparwe	Richard Careles	T. Veyle
Thomas Tapeser	Wife of Ralph Segrym	Reginald Godfrey
John Candeler	Nicholas Bervyle	John Belton
Philip Elyes	John Dytton	John Orford

¹ St. Gregory. See No. XLVIII. 2.² St. Andrew.

John Bour', smyth	Bowger	John Belstede
Richard zymes	Berebruier in burton	Robert Sedeman
Robert Roo	Richard Northalis	John Curteys
William Martyn	Robert Hoo, sherman	John Scolehou, wex. . .
John Clerk	Thomas Selyng	Thomas Warner
John Degon	Robert Blythe	M. John Estgate
Robert Reman	John Coppyng	Robert Estgate
Richard Hull	Katerine Blake	John Cok gold
Thomas Mosse	John Runhale	Beatrix Chaundeler
John Dekilburgh	John Watyr	Thomas Marbeler
Henry Chapman	John Aubry	John Stonhale
John Sherman	Bartholomew Garon	William Taverner
Nicholas Plumstede	John Marchall	Nicholas Perchemynr
lj Jakkes	John Castre	Robert Portelond
ijj li viijs iij <i>d</i>	Richard Harde	Edmund Hook
	Thomas Edward	Robert Aldrich
Thomas Palmer ¹	Thomas Smyth	Adam Fayrechilde
Richard Dallyng	Henry Barbours	Roger Best
John Bloker	Nicholas Newman	Wife of Thomas
John Pekke jun ^r	William Lote	Sudbury
Sir William Wemode	Walter Same	Robert Palmer
Thomas Waleys	Robert Cade	Robert Ogeris
Richard Davy	Stephen Fraunseys	Thomas Grout junr.
John Kevyll	John Northalis	Thomes Percy
John Roper	John Tyte	William Lesebury
William Underwode,	Nicholas Spoo	John West
gold'	John George	John Hokkam
Thomas Fader	Roger Sadeler	Peter Mego
Robert Seman	John Hyll	Reginald Harneys
William Burnham	John Wattys, baxtere	Robert Everard
Raaf Est	John Elger	Robert Syqwhat
Richard Shalys	Robert Gosbek	M. Roper
Robert Suher	John Whyte	Henry Baron
John Tompson	Richard Herbert	Edmund Bramerton
Thomas Wardeyn	John Pyk	Roger Cook
John Togode	li Jakkes	John Russell
Thomas Broun, Tayl-	ijj li xijs viij <i>d</i>	xxxv Jakkes
lour	Margaret Caley ²	John Shekery ³
John MerSSH, pynner	Nicholas Ingham	Nicholas Portelond
John Love	John Scolehou, mercer	Thomas Benfeld
Thomas Veyll	M. Stephen Brasier	Thomas Potter
Henry Falgate	Richard Harys	Simon Petyte

¹ St. George.

² The Prior's district of Holmestrete [?].

³ These 5 are only assessed in money.

Ultra Aquam.

John Grantham ¹	Robert Baketon	Richard Tompson
Roger Grabbe	Thomas Spenser	
John Colman	William Dynne	Edmund Amyson ⁸
John Flekke	Nicholas Halle	Richard Clerk
Robert Wode, coupere	John Bertram	Thomas Ryngwar'
Richard Ferroure senr.	Richard Wattys	J. Farewell
William Stevens	John Western	Thomas Heyham
William Jekkys	Henry Toke	W. Rysyng
Gregory Clerke	Robert Wode	John Gyllyng
Walter Blak	Wife of Robert Palmer	John Barfote
Thomas Norman	Thomas Walyshman	Wat' Waryn
William Spaldyng	William Mundeford	Robert Bloker
William Smyth	Geoffrey Spirlyng	John Moor
Thomas Dewe	Adam Smyth	William Antyngham
Walter Blak	John Denton (Dewe)	Thomas Frend
Thomas Lynne	John Howard (Brewyn)	John Mundeford
John Kyght	Henry Oudolf	William Seton
William Lacy	John Coppyng	William Shirwynd
Richard Ferror junr.	John Chapman, skynner	Nicholas Crome
William Ferror	Thomas Thorpp	Thomas Bettis
Peter Mose	Thomas Aleyn	William Greyne
v li xs.	Bric Skowe	Richard Drake
xxli xijs. viiijs ²	Richard Skowe	William Swan
Robert Gedge	John Stalon	John Dynne
William Cook	John Bernard	Walter Fornefeld
Wife of Edmund	John Chapman,	Adam Beller
Segeford	worstedwever	John Coket
William Roo	Edmund Redham	John Fitz
Richard Curdon	Richard Dobylday	Walter Mote
John Rose	William Grey	Robert Upton
Peter Kyndell	John Mannyng	Hugh Deye
Richard Umfrey	Geoffrey Byrd	Robert Wrong
(Corpesty)	Peter Mannyng	John Burgh
Thomas Beller	Simon Heron	Roger Brigges
^{Emmes}	John Symmys	Geoffrey Newman
John Chapman woolle-	Robert Wyse	Stephen Knollis
man	lij Jakkes	William Norwich senr.
Rector of Church of St.	Richard Codde	Thomas Phelipp
Michael		

¹ Coselanye.² This is perhaps the total amount received or assessed for Wymer and Ultra Aquam.³ Fibrigate.

William Kevyll	Thomas Johnson	Robert Hikelyng
Robert Stratton	John Everard	Robert Toly
William Stubbe	Richard Newman	Robert Davy
Thomas Oudolf	Elizabeth Baret	John Newman
Thomas Collys	Edmund Pratte	Richard Baxtere
John Underwode,	M. William Gladdon	John Buntyng
lymbrenner	Robert Hikelyng,	John Gardener
John Garon	peyntor	John Deye
Adam Bower	John Sawyer	John Crook
John Gedge	vij [Jakkes]	M. John Salot
John Brame		liijs. iiijd.
xlij Jakkes	<i>Parish of St. Paul¹</i>	
jxs. iiijd.	John Payn	

Be it remembrid y^t it is accorded be y^e persons which have assessed y^e harneys aforesaid y^t every Jakke and haberion shall have a salet² j bowe and³ j sheef of harrowes.

CCCCXXVII.—Musters in the reign of Queen Elizabeth. (Case 13 a, *Militia Papers I.*)

[The following Extracts relate to Musters at the close of the 16th century. The records are very numerous but are almost all defective in some portions or particulars. The entries here given do not refer to the same year.]

A Certificate made the viij day of August of y^e mustres taken the fyrst daye of August 1569.

In Light horses	iiij	} Totalis men fur to weare armour } ij ^m cvij persons. ⁴
Corselets fur [furnished]	lxxxxvj	
Jacks and Cotes of plat	iiij	
Alman Ryvets fur	cxxxvj	
Bowes fur	cclij	
Curriars and harquebosses	xxij	
Men that fynde armour	ccccxlvij	
Men one and other to weare armo ^r xv ^e lx persons.		

¹ The Prior's district of Norman's Hospital.

² A helmet not unlike a bacinet. Fairholt 224.

³ "j peyr glovys" is here inserted and crossed out.

⁴ This total not only does not correspond with the items but is also quite out of proportion with the other totals. It is probable that the correct total is 1560 as given in the last line. The 447 men who find armour correspond with the 519 men of the entry for 1578, leaving 1113 men who wear armour, which tallies with the similar number of 1187 in 1578.

CCCXXXVIII.—*Muster in 1574.*

Sum total of the whole Citie.			
Corseletts	iiij ^{xx} ix	69	} 519
Calyvers and	iiij ^{xx}	80	
Bowes	ij ^c xxxiiij	233	
Alman Rivets	j ^c xxx	130	
Jacks	v	5	
Cotes of male	i	1	
Compleat harnis	i	1	

CCCXXXIX.—*Book of a Muster in 1578.*

[The Queen's Commission is given at length, as also the Instructions given by the Lords of the Privy Council to Commissioners for Norfolk requiring (inter alia) that the City of Norwich should have in training 80 Calyver men, the Town of Lynn 20, and the Town of Yarmouth 20; and a letter to the Mayor and Justices of Norwich dated 15th June 1578. Then follows a general statement referring to an earlier and later time];

The Order of the last general certificate the 26 of September 1577 of the mustres taken the xx daye of September a^o predicto.

In men prepared to weare armo^r from xvj yeris to lx yeris xj^c lxxxvij owte of the whiche nombre dyd weare armour viz.

Light horses	j ¹	} Some of men furn. }	} v ^c xix persons
Corslets	lxxxviiij		
Calyvers	cxxxvij		
Alman ryvets	lxxiiij		
Bowes furnished	ccxxj		
Totallis xviii ^c vj persons.			

CCCXL.—*Muster in 1580.*

A Certificate made the xixth day of June 1580 of the musters taken the xiiij daye of June 1580 of the fyrst showe.²

In Corslets furnished	cij	} Totallis jm ¹ cviiij persons.
In Calyvers furnished	cxlvj	
In Alman ryvets furnished	lxxxxvj	
In Bowes furnished	ccix	
In bylles and Sallets	cxxxj	
In bylles alone	ccccxxxiiij	
More in servants v ^c xviiij.		

¹ The total (1806) seems to require that this should be "j^c" (100). "Owte of" in the heading must mean "besides."

² View or Inspection, in Latin "monstracio," from which, through the French, comes the English "muster."

[The total including the servants makes 1626. In regard to this return there is a further reference in this Muster Book on a later folio as follows:]

The Coppye of the Letter of Certificate sent up to the Lordes of y^e Counsell dated &c.

O^r bounden Doweties unto yo^r good honores remembred pleaseth y^t the same to accepte o^r service done in her Ma^{ties} county of y^e Citye of Norwiche. Whear accordinge to Comysyson under the great seale of Englande receyved from her Ma^{ti} we have taken generall musters and view of all people in o^r limities being above the age of xvj and under the age of lx yeares the xiiijth daye of this presente moneth of June and have then viewed all armo^r and warrlyke munition wth the qualities and apteness of everye person meete to use she same, whear we fynde persons fytted for service 1627. And of armo^r viz. Corslets 102, Calivers 146, Alman ryvetts 86, Bowes furnished 209, Bylles and Salletts 131, Bylles onelye 435. And though we be not (for shortenes of tyme) in dowe order to satisfye y^r Honorable expectations, yett notwithstandinge we mean with all convenyente expedition to furnish the same accordinge to the direccion of the seyde comysion, and of the enstructions sente therwith. And leavinge yo^r honorable estates in the proteccion of the All mightye we most humblye take o^r Leaves; from Norw^{ch} the xvijth day of June 1580.

yo^r honors most bounden

Symon Bowde Mayor.

John Aldriche. Thomas Sotherton. Thomas Grene. Thomas Pecke.

CCCXLI.—*The Lists of Householdiers etc.*

The Order of the muster bookes brought in by the Counstables of Wardes of all the armour and men from the age of xvj yeris unto lx yeris and of others above that age to fynde armoure, as in manner hereafter enseweth, according to a presentemente made by the seyde Counstable upon a warrante to them directed in manner hereafter ensewenge.

To John Walker and Thomas Tesemonde Counstables [of the Hamlett of Trowsse].

These bene to wyll and requir you, accordinge to the effecte of comysion Latelye receyved from her Ma^{tis} under the greates seale of Englande; That immediately upon sight thereof yo^u make a booke in wrightinge, containing the names and surnames of all persons above the age of xvj yeris beinge wthin the Lymities of yo^r Warde notinge everye howsholder by hymselfe, withe his Sonnes, menservants, apprentices, iournyemen or anye other sojourners or Dwellers remaininge in their howses, with all their armour and weapons meete for the warres. And therfor to certifie us and others hir highnes Comissioners for musters, on

Mondaye nexte at one of the Clocke in the afternone, from the Guylde halle in morning this xxix day of Aprill 1580.

Symon Bowde Maior.

Thomas Sotherton Ald. John Aldriche Ald. Thomas Pecke Ald.

These bookes were brought in accordingleye the Monday the seconde daye of Maye 1580.

The Warde of Southe Connesforthe.

Then follows a list in 4 columns, (a) Howsholders, (b) What they have now, (c) What they showed last, (d) What they are now to be, as e.g.

(a) Thomas Teasemonde, a byll (b) An alman ryvet fur (c) The same (d) The same fur. His servants Olyver More Wylliam Tewsdaye, Robert Carbolle. each a "byll"; (a) John Lathe, a byll (b) An Alman ryvet fur (c) The same (d) The same fur. His servauntes John Fovell a byll, William Saye a byll, Henry Walker, an archer, Robert Crumwell a byll.

[Not much more than half the list is preserved. So far as it goes about 940 names are entered].

Dutch and French Aliens in the City.

It is likely that the total number of men above 16 fit to wear armour given in the foregoing statements refers only to men of English birth. Among the Muster Rolls of this period are found occasional lists of Dutchmen and Walloons or Frenchmen. One of these, excellently drawn up but unfortunately without a date, contains the following summaries.

Sum total of Dutchmen, 401, Calivers 59, Corsletts 2, Muskets 2.

Sum total of Wallones 359, Calivers 52, Muskets 1.

CCCXLII.—*The 80 Calyver Men.*

A Muster taken before Mr. Thomas Layer Mayor, Francis Wyndham Esquier, John Aldrich, Robert Wood and Thomas Grene Aldermen and Justices of the Peace there the xxvijth daye of Maye Anno 1577 for the furnishing and appointing of iiij^{xx} shotte of Calyvers to be trayned in the Cittie of Norwich according to the tenure of certeyne Lres and Instructions directed from the Quenes most excellent Matie and the lordes of her honorable Prevy Councell.

Then follow the names of the Wards; the Men appointed to find Calyvers; the Men appointed to serve with Calyvers. The persons in each set *before* the dividing line are the Citizens who find the Calyvers, those *after* it are the men who are to serve.

South Connesford.

Mr. Thomas Debney

George Watson.

North Connesford.

Mr. Godfrey

Robert Haygat

Berestrete cum Lakenham.

Mr. Francis Southwell
Mr. Cocket
Richard Toley bocher
Thomas Secher

Bernard Utberd¹
—
Edmond Egling
Thomas Stevenson

Myles Trotter
Matthew Dynt
John Bale¹

St. Stevens.

Sir Thomas Cornwallis
Mr. Grene
Mr. Nic. Baker
Mr. Bowde
Mr. Davy
Mr. Brereton
Mr. Atkins
Anthony Style
Humfry Rant

Mr. Mingaye
George Collyson
Robert Rooke
—
John Maye
John Keme
Thomas Grenesmyth
John Castoll

William Richardson
Robert A²
John Batts²
Arthur Clocke
Mathew Graven
Thomas Gogle
Richard Wryght
Myhell Maske

St. Peters.

Mr. Wyndham
Mr. Grenewood
Mr. Gleane
Mr. Skynner
Mr. Warner

Mr. Marsham
Robert Davye
—
Robert Atkinson
William Smyth

Robert Rawling
Edward Dyves
Walter Kyt ?
John Smyth
John Haywards

Westwymer.

Mr. Francis Morley
Mr. Downes
Mr. Coll
John Elwyn
Richard Howse
John Debney
Robert Gibson

Peter Barker
John Silver
William Morly
—
Thomas Williams
William Tynker
Thomas Barker

John Wryght
Thomas Cappes¹
Richard Vyne
Robert blona
Richard Herne
William Gladwyn
Raffe Tomson.

Middle Wymer.

Mr. Thos. Layer, Mayor
Mr. William Ferror
Mr. Robt. Suckeling
Thos. Pecke Ald.
Mr. Christopher Layer
Mr. Bate
Mr. Gooche
Mr. Beamond
Mr. John Sotherton
Mr. Thomas Ferror
Mr. Bowgin
Mr. Peterson
Mr. Peade
Mr. Seman²

Mr. Blowe
Mr. Water Haught
George Smyth
Anthony de Solempe
Tytus Norrys
Anth. Destlen
—
Symond Chaman
Robert Holmes
Samuel Persyvall
Thomas Sympson
Robert Fell
Raffe Sandwishe
John Barwicke

John Baker
Nicholas Foster
George Jackson
William Samman
Robt. Thurston¹
Jeffrey Hobard
John Wright¹
Thomas Plomerton
Robert Wolsey
Thomas Sellers
George Shortin¹
James Kytson
George Shorten

Christchurche.

Hen. Dickerson

Robert Watson

Edward Liverkin

¹ Crossed out.

² Added, a burginet.

East Wymer.

Mr. Drew Drewry	Richard Toly sen ^r	Richard Strowger
Mr. Jo. Suckling	_____	Christopher Tucke to have
Mr. Ric. Baker	Thomas Hert	a new stocke
Mr. Palgrave	Richard Johnson	Arthur bessy
Mr. Petwyse	Henry Westerly the stocke	Gofte Ivans owder and
John Balles	to long	match

Coslanye cum Heylsdon.

Mr. Thomas Sotherton	Thomas Pye	Tho. Sutton
Mr. Some	Mr. Bang	Jack Howse
Mr. Claxton	_____	[?]
Mr. Marker	Richard Gonge	John Austen
Mr. Herne	Nicholas Hellington	Thomas Gemall

Colgate.

Mr. Rugge	Robert Yarham	Thomas Lawter
Mr. Pye	_____	John Stalles
		William Broke

Fybrigg cum Pockethorpe.

Mr. Culley	Thomas Pickarell	William Heward
Mr. Aldriche	Thomas Stokes	Richard Goodman
Mr. Wood	_____	John Goodman
Mr. Gostling	William Towneley	James Bower
Henry Pye	John Tomson	Nicholas Mannell
Mr. Bradforth	Mathew Love	
Robt. Bennet	George Fenne	

Thes are to will and requier yow that upon the sight hereof yow give warnyng to the persons hereafter named that they cause ther Callivers and Moryers wth all the furniture to every of them belonging and such persons as before have ben trayned or some other apte or mete men in ther steade to appeare before me and other the Quene's Ma^{ties} Justices at the Newhall on Thursday next by viij of the clocke in the forenone, where they shall have ther powder delivered to them by the Chamberlyne of the Cittie for the use of ther Calyvers in such sorte as shall be apointed And that every of them do bringe some bulletts of Lead fett for ther Calyvers to shote at marks wth it. Written the xiiij of October 1578.

CCCXLIII.—*The Charge of y^e lxxx Calyvers for iiij dayes in a yer [training]. (Book of Musters, 1578-80.)*

To lxxx men to cari Calyvers for iiij dayes at viij ^d	x ^{li}	xiiij ^s	iiij ^d
To everi of these men for halfe a pound of p ^o d ₃ [powder] at viiiij ^d	x ^{li}	xiiij ^s	iiij ^d
To the Captayne for iiij days at x ^s a daye		ij ^s	
To the auncient [ensign] bearer iiij dayes at iiij ^s iiij ^d a daye		xiiij ^s	iiij ^d
To iiij Oversears or Undercapteyns at ij ^s [each] iiij days	i ^{li}	xij ^s	

To ij drom players iiij dais at xx ^d a pc' [apiece] a day	o ⁱⁱ	xiiij ^s	iiij ^d
To everi of y ^e peces for maches and bulletts iiij dayes at [4 ^d a day]	v ⁱⁱ	vj ^s	viiij ^d
To a flute player iiij days at xij ^d		iiij ^s	
To a Collector to gather y ^e moni and kepeth lok	v ⁱⁱ		
	[sic]	36	16 0

Here follows the assessment throughout the city. If a man had goods only or goods and lands, he is charged 2^d per pound on the value of his goods. If he held land only he is charged 3^d per pound on the value of the lands. The following is the total

Some	xxxviiij ⁱⁱ	iiij ^s
Some of the charge	xvxxvj ⁱⁱ	xvj ^s
Rest	j ⁱⁱ	viiij ^s

Further on in the same book a similar statement is made. The amount of the charge was £66 3 4. "The Seasement for lxx[x] Calyvers w^t the note of the charge dowe to the same to begynne at Easter 1578 and so contynue x dayes this yere according to the Lres therfor dyirected."

The powder is supplied at 8^d the pound.

"The names of the persons seased to the charge aboveseyd at iiij^d the lⁱ for viij days this is discharged by the last leres [letters] and the seasement befor at ij^d good and iiij^d lands."

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